

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

REGULAR MEETING OF JULY 16, 2007

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of July 16, 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; Richard B. Marks, Community Development Director; and Therese L. Calic, CDA Secretary.

CONSENT CALENDAR

Motion by Member Kiramis, seconded by Vice Chair Frisella, and carried unanimously, 5-0-0, to adopt the following items on the CDA Consent Calendar:

1. Minutes of Regular Meeting of June 18, 2007; and
2. CDA Resolution No. 267, "A Resolution of the Foster City Community Development Agency Amending the Fiscal Year 2007-2008 Community Development Agency Budget."

REPORTS

CONSIDERATION OF REQUEST FOR THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PURCHASE CONTRACT FOR REAL PROPERTY FOR THE COMMUNITY DEVELOPMENT AGENCY, AND TO AUTHORIZE A MAXIMUM DOLLAR VALUE FOR A SUITABLE REAL ESTATE PROPERTY. CDA MINUTE ORDER NO. 29.

Community Development Director Marks presented the staff report.

Discussion ensued.

Motion by Member Wykoff, seconded by Member Koelling, and carried 4-1-0, Member Kiramis voted "No," to adopt CDA Minute Order No. 29, directing staff to maintain the status quo process to negotiate for the purchase of real property for the Community Development Agency Board, but require the Executive Director to return to the Community Development Agency for authority to execute a purchase contract with a defined maximum dollar value for a suitable real property.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Cox adjourned the meeting. Meeting adjourned at 7:42 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of July 16, 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 7:42 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; Ricardo Santiago, Finance Director; Ramon Towne, Director of Public Works; Kevin Miller, Director of Parks and Recreation; Richard B. Marks, Community Development Director; Craig Courtin, Chief of Police; Audrey Daniels, Human Resources Director; Matt Martell, Police Captain; Jon Froomin, Police Captain; Elena Lee, Senior Planner; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION RE RETIREMENT OF SAMUEL JOHNSON, JR., AND DECLARING SAMUEL JOHNSON, JR. DAY / MONTH.

On behalf of the City Council, Mayor Cox presented a proclamation to Samuel Johnson Jr., honoring his retirement as Superintendent of the San Mateo Union High School District, and Declaring July 16, 2007 as Samuel Johnson, Jr. Day.

It was the consensus of the City Council to amend the proclamation declaring July 2007 as Samuel Johnson, Jr. Month.

CERTIFICATES OF RECOGNITION TO ARTS & WINE FESTIVAL YOUTH AND TEEN TALENT SHOW 2007 PARTICIPANTS.

On behalf of the City Council, Mayor Cox presented Certificates of Recognition to the following Arts & Wine Festival Youth and Teen Talent Show 2007 participants:

Youth Performers (Age 12 & Under)

- Aaron Fried, Piano
- Chloe Cross and Sara Lepisova, Dance
- James Woodward, Violin
- Bian Jabari, Vocals
- Jong Lim, Guitar
- Lindsay Custodio and Robyn Fong, Dance [Honorable Mention]
- Caitlin Gorman, Vocals [Best Overall Youth Performance]
- Himari and Rick Tamamura, Violin and Vocals

Teen Performers (Age 13 & Up)

- Tali and Tom Havin, Dance [Best Overall Teen Performance]
- Kerrington Fier, Vocals
- Ivan Wang, Piano [Honorable Mention]
- Meghan Lloyd, Vocals
- Alex Rosenberg, Dance, 2006 Talent Show Winner (exhibition performance)

RECESS. The Chair recessed the meeting from 8:01 p.m. to 8:08 p.m.

CONSENT CALENDAR

Motion by Councilmember/Director Kiramis, 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 June 18, 2007;
2. Minutes of Regular Meeting of June 18, 2007;
3. Minutes of Special Meeting of June 28, 2007;
4. Warrant of Demands dated June 13, 2007;
5. Warrant of Demands dated June 20, 2007;

6. Warrant of Demands dated June 27, 2007;
7. City Resolution No. 2007-58, "A Resolution of the City Council of the City of Foster City Accepting the Work by Saviano Company, Inc. for (CIP 794) Edgewater Park Tennis Court and Lighting Project and Directing the City Clerk to File the Notice of Completion;"
8. City Resolution No. 2007-59, "A Resolution of the City Council of the City of Foster City Approving the Memorandum of Understanding for the Council 57, Local 829, AFSCME Bargaining Unit Effective July 1, 2007 to June 30, 2010;"
9. City Resolution No. 2007-60, "A Resolution of the City Council of the City of Foster City Amending the Fiscal Year 2007-2008 City Budget;"
10. City Resolution No. 2007-61, "A Resolution of the City Council of the City of Foster City Approving and Adopting a Revised Pay Plan for Fiscal Year 2007-2008;"

EMID Consent Calendar

11. Minutes of Special Meeting of June 18, 2007;
12. Minutes of Regular Meeting of June 18, 2007;
13. Minutes of Special Meeting of June 28, 2007;
14. Warrant of Demands dated June 13, 2007;
15. Warrant of Demands dated June 20, 2007;
16. Warrant of Demands dated June 27, 2007;
17. EMID Resolution No. 3007, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Memorandum of Understanding for the Council 57, Local 829, AFSCME Bargaining Unit Effective July 1, 2007 to June 30, 2010;"
18. EMID Resolution No. 3008, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Amending the Fiscal Year 2007-2008 District Budget;"
and
19. EMID Resolution No. 3009, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving and Adopting a Revised Pay Plan for Fiscal Year 2007-2008."

PUBLIC HEARINGS

PROPOSED 2007-2008 APPROPRIATIONS LIMITS FOR THE CITY OF FOSTER CITY AND THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT. CITY RESOLUTION NO. 2007-62 AND EMID RESOLUTION NO. 3010.

Mayor/President Cox opened a public hearing to hear and consider public input regarding the proposed 2007-2008 appropriations limits for the City of Foster City in the amount of \$42,972,906 and for the Estero Municipal Improvement District in the amount of \$40,250,040.

Finance Director Santiago presented the staff report.

No public testimony was received.

Mayor/President Cox closed the public hearing.

Motion by Councilmember/Director Wykoff, seconded by Councilmember/Director Koelling, and carried unanimously, 5-0-0, to adopt:

1. City Resolution No. 2007-62, "A Resolution of the City Council of the City of Foster City Establishing the Fiscal Year 2007-2008 Appropriations Limit Pursuant to Article XIII B of the California Constitution;" and
2. EMID Resolution No. 3010, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Establishing the Fiscal Year 2007-2008 Appropriations Limit Pursuant to Article XIII B of the California Constitution."

NEW BUSINESS

APPOINTMENT TO ARTS AND CULTURE COMMITTEE. MINUTE ORDER NO. 1055.

City Clerk Calic presented the staff report.

Arts and Culture Committee applicant Helyn Dahle introduced herself to the City Council.

Motion by Vice Mayor Frisella, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to adopt Minute Order No. 1055, appointing Helyn Dahle to an unexpired partial term from January 1, 2007 to December 31, 2009 on the Arts and Culture Committee.

APPOINTMENT TO EDUCATION COMMITTEE. MINUTE ORDER NO. 1056.

City Clerk Calic presented the staff report.

Education Committee applicant Caryn Goldman introduced herself to the City Council.

Motion by Councilmember Koelling, seconded by Councilmember Kiramis, and carried unanimously, 5-0-0, to adopt Minute Order No. 1056, appointing Caryn Goldman to an unexpired partial term from January 1, 2007 to December 31, 2009 on the Education Committee.

APPOINTMENT OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES 2007 ANNUAL CONFERENCE. MINUTE ORDER NO. 1057.

City Clerk Calic presented the staff report.

Motion by Mayor Cox, seconded by Councilmember Kiramis, and carried unanimously, 5-0-0, to adopt Minute Order No. 1057, appointing Councilmember Linda Koelling as voting delegate and Vice Mayor Pam Frisella as voting alternate to be present at the League of California Cities Annual Conference Business Meeting to be held on Saturday, September 8, at the Hyatt Hotel in Sacramento during the League of California Cities Annual Conference at the League of California Cities 2007 Annual Conference.

AMENDMENT TO MISSION STATEMENT, GOALS 2007, AND POLICY STATEMENT OF THE PARKS AND RECREATION COMMITTEE. EMID RESOLUTION NO. 3011 AND MINUTE ORDER NO. 1058.

Parks and Recreation Director Miller presented the staff report.

Motion by Director Wykoff, seconded by Director Kiramis, and carried unanimously, 5-0-0, to adopt:

1. EMID Resolution No. 3011, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Amending the Policy Statement of the Parks and Recreation Committee by Amending Exhibit "A:" of Resolution No. 2431;" and
2. Minute Order No. 1058, approving the revised Mission Statement and Goals 2007 of the Parks and Recreation Committee.

Without objection from the Council/Board, Mayor/President Cox took the following REPORTS item out of agenda order.

REPORTS

SAN MATEO COUNTY SUB-REGIONAL REGIONAL HOUSING NEEDS ALLOCATION PROCESS UPDATE. NO ACTION TAKEN.

Senior Planner Lee presented the staff report regarding San Mateo County Sub-regional Regional Housing needs allocation process update.

No action was taken.

RECESS. The Chair recessed the meeting from 8:26 p.m. to 8:32 p.m.

PUBLIC COMMENTS – SELECTION OF A DEVELOPMENT PARTNER FOR THE 11-ACRE PORTION OF THE 15 ACRES OF CITY-OWNED PROPERTY ADJACENT TO THE FOSTER CITY GOVERNMENT CENTER. MINUTE ORDER NO. 1059.

Without objection from the City Council, Mayor Cox directed staff to prepare a detailed staff report regarding the process for putting a measure on the ballot for the voters to decide if they support or oppose the issuance of City general obligation bonds to build a charter high school on the 15-acre site.

Assistant City Manager Chappelle presented the staff report.

The following members of the public addressed the City Council regarding this issue:

1. Claudette Main, 702 Nina Lane
2. Jack Burleson, 238 Sandpiper Court;
3. Bill Fullendorf, 834 Balboa Lane;
4. Aislinn Oka, E. Hillsdale Boulevard;
5. Norm Chang, 844 Polaris Avenue; and
6. Patricia Player Maxwell, 1171 Compass Lane, #205.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Kiramis, and carried unanimously by roll call vote, 5-0-0, to adopt Minute Order No. 1059, directing staff to enter into exclusive, limited-term negotiations with Sares Regis Group of Northern California, L.P., et. al.

RECESS. The Chair recessed the meeting from 9:51 p.m. to 10:03 p.m.

RESOLUTIONS FOR ADOPTION

EMID RESOLUTION NO. 3012 AUTHORIZING THE EXECUTION OF A CONTRACT AGREEMENT WITH PRECISION ENGINEERING, INC. AND A BUDGET APPROPRIATION IN THE AMOUNT OF \$50,000 FOR (CIP 790) WATER VALVE REPLACEMENT PROJECT.

Public Works Director Towne presented the staff report.

Discussion ensued.

Motion by Director Koelling, seconded by Vice President Frisella, and carried 3-2-0, Directors Kiramis and Wykoff voted “No,” to adopt EMID Resolution No. 3012, “A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing the Execution of a Contract Agreement with Precision Engineering, Inc. and a Budget Appropriation in the Amount of \$50,000 for (CIP 790) Water Valve Replacement Project.”

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS.

The City/District Warrant of Demands processed and issued July 2, 2007 and July 9, 2007 were listed on the agenda for information purposes only. No action was taken.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Koelling reported that last Friday's Concert in the Park was excellent and that the Lions Club did a great job preparing and serving food. There will be another Concert in the Park this Friday night and the Rotary Club would be doing the cooking duties.

Mayor Cox stated this year's Fourth of July was the best he has ever attended and he wished that the Fourth of July was always on a Wednesday when people are in town to enjoy the celebration.

Mayor Cox stated that he knows that his request to put a general obligation bond measure on the ballot was a surprise but he thinks it is time that the community decides on whether or not they want to build a public charter high school.

ADJOURNMENT

Hearing no objection from Council/Board, Mayor/President Cox adjourned the meeting. Meeting adjourned at 10:18 p.m.