

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

REGULAR MEETING OF AUGUST 7, 2006

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of August 7, 2006 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 Linda Koelling.

ROLL CALL

The Secretary called the roll:

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

ABSENT: None.

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

CONSENT CALENDAR

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

1. Minutes of the Regular Meeting of July 17, 2006;
2. Minutes of the Special Meeting of July 18, 2006; and
3. Minute Order No. 25, canceling the Regular Meeting of the Board of the Community Development Agency of August 21, 2006.

ADJOURNMENT

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

The next Regular Meeting of the Board of the Community Development Agency will be held on Tuesday, September 5, 2006.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of August 7, 2006 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 Linda Koelling.

ROLL CALL

The City Clerk/District Secretary called the roll:

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

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; Audrey Daniels, Human Resources Director; Richard B. Marks, Community Development Director; Craig Courtin, Chief of Police; Kevin Miller, Director of Parks and Recreation; Ramon Towne, Director of Public Works; Steve Toler, Administrative Services Director; Leslie Carmichael, Planning Manager; 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 Koelling presented Employee 5-Year Service Pins to Audrey Daniels, Human Resources Director, and Tiffany Hall, Recreation Coordinator. Staff was directed to present Employee 5-Year Service Pins to Christina Eckman, Police Officer, and Laura Galli, Assistant Engineer, who could not be in attendance.

EMPLOYEE 10-YEAR SERVICE PINS.

Staff was directed to present Employee 10-Year Service Pins to Todd Haena, Parks Maintenance Worker II, and Noel MacDougall, Police Sergeant, who could not be in attendance.

EMPLOYEE 15-YEAR SERVICE PINS.

On behalf of the City Council, Mayor Koelling presented an Employee 15-Year Service Pin to James Hardie, PW Lead Maintenance Worker, and directed staff to present an Employee 15-Year Service Pin to Michael Gilbert, Parks Maintenance Worker II, who could not be in attendance.

EMPLOYEE 20-YEAR SERVICE PINS

On behalf of the City Council, Mayor Koelling presented an Employee 20-Year Service Pin to Moshe Joshua, Police Corporal. Staff was directed to present Employee 20-Year Service Pins to Al Piacente, Fire Captain, James Scott, Fire Captain, and Randy Stillwell, PW Maintenance Worker II, who could not be in attendance.

EMPLOYEE 25-YEAR SERVICE PIN.

On behalf of the City Council, Mayor Koelling presented an Employee 25-Year Service Pin to James C. Hardy, City Manager.

EMPLOYEE 35-YEAR SERVICE PINS.

On behalf of the City Council, Mayor Koelling presented an Employee 35-Year Service Pin to Rick Heffern, Parks Maintenance Superintendent, and directed staff to present an Employee 35-Year Service Pin to Tony Rozewski, Chief Mechanic, who could not be in attendance.

RECESS. The Chair recessed the meeting from 8:17 p.m. to 8:24 p.m.

PUBLIC

Lucy Williams, 1281 Marlin Avenue, Marcia Cohn-Lyle, 1119 Lord Nelson Lane, and Diane Daniels, 857 Carina Lane, representing the Foster City Historical Society, requested that the City Council allow some space for a historical museum on the 15-acre site adjacent to City Hall.

Jackson Yip, 1083 Sanderling Street, Huy Lu, 183 Longview Drive, Daly City, and Yanglan Lee, 1560 Turk Street, #113, San Francisco, representing Falun Gong practitioners, informed the City Council of human rights violations in China against Falun Gong practitioners including the human organ transplant export business and urged the City Council to adopt a resolution requesting the Government of China to stop these human rights violations.

CONSENT CALENDAR

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

City Consent Calendar

1. Minutes of the Special Meeting of July 17, 2006;
2. Minutes of the Regular Meeting of July 17, 2006;
3. Minutes of the Special Meeting of July 18, 2006;
4. Warrant of Demands dated August 7, 2006;
5. City Ordinance No. 529, "An Ordinance of the City of Foster City Approving an Amendment to the Foster City Zoning Map to Modify the Previously Approved General Development Plan for the Office Building at 1241 East Hillsdale Boulevard from CM/PD (Commercial Mix/Planned Development) District to a CM/PD (Commercial Mix/Planned Development) District with an Amended General Development Plan to Allow General Office and Medical Office Uses – 1241 East Hillsdale Boulevard (APN: 094-181-070) – Jones – RZ-06-001 [First Reading July 17, 2006];"
6. City Ordinance No. 530, "An Ordinance of the City of Foster City Repealing Chapter 5.44, Massage Parlors, of Title 5, Business Licenses and Regulation, and Adding a New Chapter 5.44, Massage Establishments, to Title 5, Business Licenses and Regulation, of the Foster City Municipal Code [First Reading July 17, 2006];"

7. City Ordinance No. 531, "An Ordinance of the City of Foster City Repealing Chapter 2.36, Citizens Advisory Committees, of Title 2, Administration and Personnel, and Adding a New Chapter 2.36, Citizens Advisory Committees, to Title 2, Administration and Personnel, of the Foster City Municipal Code [First Reading July 17, 2006];"
8. City Ordinance No. 532, "An Ordinance of the City of Foster City Amending Section 2.08.180, Mayor and Vice Mayor Selection, of Chapter 2.08, City Council, of Title 2, Administration and Personnel, of the Foster City Municipal Code [First Reading July 17, 2006];"
9. City Resolution No. 2006-63, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Fugang Li;"
10. City Resolution No. 2006-64, "A Resolution of the City Council of the City of Foster City Rejecting the One Bid for CIP 794, Edgewater Park Tennis Court Construction and Lighting Project, and Approving the Plans and Specifications and Authorizing Call For Bids in November 2006;"
11. Minute Order No. 997, canceling the Regular Meeting of the City Council of the City of Foster City of August 21, 2006;

EMID Consent Calendar

12. Minutes of the Special Meeting of July 17, 2006;
13. Minutes of the Regular Meeting of July 17, 2006;
14. Minutes of the Special Meeting of July 18, 2006;
15. Warrant of Demands dated August 7, 2006;
16. EMID Resolution No. 2973, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Rejecting the Claim of Fugang Li;" and
17. Minute Order No. 997, canceling the Regular Meeting of the Board of Directors of the Estero Municipal Improvement District of August 21, 2006.

RESOLUTIONS FOR ADOPTION

Hearing no objection from the City Council, Mayor Koelling took this item out of agenda order.

CITY RESOLUTION NO. 2006-65, CONFIRMING AND ANNOUNCING DIRECTION FOR THE DEVELOPMENT OF THE +15 ACRES OF PROPERTY OWNED BY THE CITY ADJACENT TO THE FOSTER CITY GOVERNMENT CENTER AND RELATED FINANCIAL GOALS AND EXPECTATIONS – APN NO. 094-471-100 – CITY OF FOSTER CITY.

Community Development Director Marks presented the staff report.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt City Resolution No. 2006-65, "A Resolution of the City Council of the City of Foster City Confirming and Announcing Direction for the Development of the +15 Acres of Property Owned by the City Adjacent to the Foster City Government Center and Related Financial Goals and Expectations – APN No. 094-471-100 – City of Foster City."

RECESS. The Chair recessed the meeting from 9:26 p.m. to 9:32 p.m.

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC INPUT REGARDING AMENDING THE MASTER FEES AND SERVICE CHARGES SCHEDULE ESTABLISHING NEW WATER AND SEWER SERVICE RATES FOR FISCAL YEAR 2006-2007.

Administrative Services Director Toler presented the staff report and City Attorney Savaree addressed the City Council regarding their options in relation to increasing water or sewer charges.

No public testimony was received.

Mayor/President Koelling closed the public hearing.

Motion by Councilmember/Director Frisella, seconded by Vice Mayor/Vice President Cox, and carried unanimously, 5-0-0, to adopt Minute Order No. 998, directing staff to mail a Notice of Public Hearing to water meter customers that the Council/Board will consider resolutions amending the Master Fees and Service Charges Schedule establishing new water and maintaining existing sewer rates for Fiscal Year 2006-2007 at its October 16th meeting.

NEW BUSINESS

INFORMATION TECHNOLOGY ADVISORY COMMITTEE APPOINTMENT. MINUTE ORDER NO. 999.

City Clerk Calic presented the staff report.

Information Technology Advisory Committee Applicant Michael "Mick" Cox introduced himself to the City Council.

Motion by Councilmember Wykoff, seconded by Councilmember Kiramis, and carried unanimously, 5-0-0, to adopt Minute Order No. 999, appointing Michael "Mick" Cox to an unexpired partial term from January 1, 2006 to December 31, 2008 on the Information Technology Advisory Committee.

REPORTS

REPORT FROM INFORMATION TECHNOLOGY ADVISORY COMMITTEE REGARDING AT&T PROJECT LIGHTSPEED. MINUTE ORDER NO. 1000.

Administrative Services Director Toler presented the staff report.

Information Technology Advisory Committee Member Greg Koss gave a report regarding AT&T Project Lightspeed.

Discussion ensued.

Hearing unanimous consensus of the City Council, Minute Order No. 1000 was adopted, 5-0-0, receiving the report from the Information Technology Advisory Committee regarding AT&T Project Lightspeed.

ORDINANCES FOR ADOPTION

CITY ORDINANCE NO. 533, AMENDING SECTIONS 15.12.020, DEFINITIONS, AND 15.12.170, EXEMPT SIGNS, OF CHAPTER 15.12, SIGN CONTROL, OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE FOSTER CITY MUNICIPAL CODE.

Motion by Councilmember Kiramis, seconded by Vice Mayor Cox, and carried unanimously 5-0-0, adopting City Ordinance No. 533, "An Ordinance of the City of Foster City Amending Sections 15.12.020, Definitions, and 15.12.170, Exempt Signs, of Chapter 15.12, Sign Control, of Title 15, Buildings and Construction, of the Foster City Municipal Code [First Reading July 17, 2006]."

RESOLUTIONS FOR ADOPTION [Continued]

CITY RESOLUTION NO. 2006-66, APPROVING A REQUEST FOR PROPOSALS FOR THE FOSTER CITY CONNECTIONS SHUTTLE TO BE SENT TO QUALIFIED VENDORS.

Planning Manager Carmichael presented the staff report.

Motion by Councilmember Kiramis, seconded by Mayor Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2006-66, "A Resolution of the City Council of the City of Foster City Approving a Request For Proposals for the Foster City Connections Shuttle to be Sent to Qualified Vendors."

CITY RESOLUTION NO. 2006-67, AUTHORIZING STAFF TO ISSUE A REQUEST FOR PROPOSAL FOR ARCHITECTURAL CONCEPT AND SITE PLANNING OF A TEEN CENTER FACILITY (CIP 794).

Parks and Recreation Director Miller presented the staff report.

Discussion ensued.

Motion by Vice Mayor Cox, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to adopt City Resolution No. 2006-67, "A Resolution of the City Council of the City of Foster City Authorizing Staff to Issue the Attached Request for Proposal for Architectural Concept and Site Planning of a Teen Center Facility (CIP 794)."

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Kiramis asked that staff provide more information to the City Council regarding human organ transplant trafficking from China.

Councilmember Wykoff informed the City Council that he has asked the City Manager to agendaize at the September 5 Council meeting, a survey to go out to the public asking them if they watch FCTV (Channel 27) because he is concerned with the costs associated with broadcasting shows other than Council/Board, Planning Commission, and Parks and Recreation Committee meetings.

Vice Mayor Cox urged the public to attend the last two summer concert series Friday night concerts at Ryan Park this Friday night and the following Friday night.

Mayor Koelling stated that both the Foster City Lions Club and Foster City Rotary Club have done a great job barbequing at the summer concert series and the support and cooperation from City staff have been excellent.

Mayor Koelling informed the City Council that she has asked the City Manager to agendaize at the September 5 Council meeting, a resolution endorsing the U.S. Mayors Climate Protection Agreement and directing staff to implement policies to help reduce global warming pollution below the levels set forth in the Kyoto Protocol.

CLOSED SESSION

Mayor/President Koelling recessed the meeting into Closed Session for the following:

1. Public Employee Performance Evaluation [pursuant to Government Code 54957] -- Title: City Attorney/District Legal Counsel; and
2. Public Employee Performance Evaluation [pursuant to Government Code 54957] -- Title: City/District Manager.

Meeting recessed into Closed Session at 10:16 p.m. and reconvened at 11:40 p.m.

Mayor/President Koelling reported that no action was taken in closed session.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Koelling adjourned the meeting. Meeting adjourned at 11:40 p.m.