

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

**REGULAR MEETING OF SEPTEMBER 18, 2006**

**MINUTES**

**CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD**

The Regular Meeting of September 18, 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 September 5, 2006;
2. CDA Resolution No. 260, "A Resolution of the Community Development Agency of the City of Foster City Authorizing a Budget Adjustment in the Amount of \$3,204 to be Funded from the Unappropriated Reserve of the Project One Housing Fund [Increased HEART Membership Dues];" and
3. CDA Minute Order No. 26, rescheduling the Regular Meeting of the Community Development Agency of October 2, 2006 to October 3, 2006 at the regular time and place in Observance of Yom Kippur.

**ADJOURNMENT**

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

## **CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS**

The Regular Meeting of September 18, 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; Ramon Towne, Director of Public Works; Craig Courtin, Chief of Police; Kevin Miller, Director of Parks and Recreation; Tom Reaves, Fire Chief; Lee Bach, Assistant Fire Marshal; Laura Galli, Assistant Engineer; Stan Workman, Traffic Engineer; Tiffany Hall, Recreation Coordinator; Rogerio Lima, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

### **SPECIAL PRESENTATIONS**

**PROCLAMATION RE CONSTITUTION WEEK.**

On behalf of the City Council, Mayor Koelling proclaimed September 17-23, 2006 as Constitution Week and directed staff to forward the proclamation to the Daughters of the American Revolution.

### **CONSENT CALENDAR**

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

#### City Consent Calendar

1. Minutes of the Regular Meeting of September 5, 2006;
2. Warrant of Demands dated September 18, 2006;
3. City Resolution No. 2006-72, "A Resolution of the City Council of the City of Foster City Authorizing a Budget Adjustment in the Amount of \$3,204 for HEART Dues;"
4. City Resolution No. 2006-73, "A Resolution of the City Council of the City of Foster City Authorizing a Budget Adjustment for the Shuttle Fund of \$14,610 from the Unappropriated Fund Balance of the General Fund;"

5. City Resolution No. 2006-74, "A Resolution of the City Council of the City of Foster City Authorizing the Execution of an Agreement with J.J.R. Construction Inc. for (CIP 780) Curb Ramp Installation/Replacement Project;"
6. City Resolution No. 2006-75, "A Resolution of the City Council of the City of Foster City Reducing the Number of Members of the Noise Abatement Committee from Seven to Five;"
7. Minute Order No. 1003, approving the Response Letter regarding the 2005-2006 Grand Jury Report: Preparing for FCC-Mandated Changes in County Law Enforcement Radio Networks;
8. Minute Order No. 1004, approving the Response Letter regarding the 2005-2006 Grand Jury Report: Disaster Preparedness Training for the Residents of Cities in San Mateo County;
9. Minute Order No. 1005, rescheduling the Regular Meeting of the City of Foster City of October 2, 2006 to October 3, 2006 at the regular meeting time and place in Observance of Yom Kippur;

#### EMID Consent Calendar

10. Minutes of the Regular Meeting of September 5, 2006;
11. Warrant of Demands dated September 18, 2006; and
12. Minute Order No. 1005, rescheduling the Regular Meeting of the Estero Municipal Improvement District of October 2, 2006 to October 3, 2006 at the regular meeting time and place in Observance of Yom Kippur.

#### **NEW BUSINESS**

##### **YOUTH ADVISORY COMMITTEE APPOINTMENTS. CITY RESOLUTION NO. 2006-76.**

Parks and Recreation Director Miller presented the staff report regarding the appointment of the following students to the Foster City Youth Advisory Committee for the 2006-2007 School Year: Daniel Beckstead, Carrie Blodgett, Megan Chapdelaine, Charley Chen, Jennifer Chinn, Bryant Chow, Alyssa Custodio, Lindsay Custodio, Allyssa Fong, Samantha Fong, Jessica Hardy, Elizabeth Johnson, Danielle Kenny, Kristi Kenny, Nicole Kjolby, Francesca Lee, Jenica Lee, Debbie Martins, Brittany McOmber, Kristina McOmber, Neha Singh, Michael Starrett, Melisa Thomson, Alex Trytko, and Diane Wong.

The Youth Advisory Committee applicants introduced themselves to the City Council.

Motion by Councilmember Wykoff, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt City Resolution No. 2006-76, "A Resolution of the City Council of the City of Foster City Approving the Appointment of Twenty-Five Members to the Youth Advisory Committee and Limiting Membership Size to Twenty-Five Members."

## **RESOLUTIONS FOR ADOPTION**

Hearing no objection from the City Council, Mayor Koelling took the following Resolutions for Adoption items out of agenda order.

**CITY RESOLUTION NO. 2006-77 ENDORSING THE PARKS FOR THE FUTURE 1/8 CENT SALES TAX MEASURE ON NOVEMBER 2006 BALLOT.**

Mayor Koelling recognized County Supervisor Jerry Hill who asked for City Council support of a resolution endorsing the Parks For The Future 1/8 Cent Sales Tax Measure on the November 7, 2006 ballot.

Parks and Recreation Director Miller presented the staff report.

Motion by Mayor Koelling, seconded by Vice Mayor Cox, and carried 4-1-0, Councilmember Wykoff voted "No," to adopt City Resolution No. 2006-77, "A Resolution of the City Council of the City of Foster City Endorsing the Parks For The Future 1/8 Cent Sales Tax Measure on November 2006 Ballot."

**CITY RESOLUTION NO. 2006-78 APPROVING THE NOMINATION AND APPOINTMENT OF RECIPIENTS TO THE FOSTER CITY COMMUNITY WALL OF FAME.**

Parks and Recreation Director Miller presented the staff report.

Jon Grant addressed the City Council regarding his nomination of Ollie Pattum to the Foster City Community Wall of Fame.

Vera King, President, 55+ Club, addressed the City Council regarding her nomination of Jane Clay to the Foster City Community Wall of Fame.

Motion by Councilmember Wykoff, seconded by Councilmember Frisella, and carried 5-0-0, to adopt City Resolution No. 2006-78, "A Resolution of the City Council of the City of Foster City Approving the Nomination and Appointment of Jane Clay and Ollie Pattum to the Foster City Community Wall of Fame."

## **REPORTS**

**FUTURE SOLID WASTE, RECYCLING, AND ORGANICS COLLECTIONS PROGRAMS AND FUTURE FRANCHISE AGREEMENT. MINUTE ORDER NO. 1006.**

Public Works Director Towne presented the staff report and introduced Kevin McCarthy, the new Executive Director of SBWMA (South Bayside Waste Management Authority.)

Bob Hilton, Hilton, Farnkopf & Hobson, LLC, gave a presentation regarding the future solid waste, recycling, and organics collections programs and future franchise agreement.

The following members of the public addressed the City Council:

1. Shelley Kessler, Executive Secretary/Treasurer, San Mateo County Central Labor Council;  
and
2. Ken Feldstein, 980 Edgewater Boulevard.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Vice Mayor Cox, and carried unanimously, 5-0-0, to adopt Minute Order No. 1006 accepting the staff report.

RECESS. The Chair recessed the meeting from 8:38 p.m. to 8:45 p.m.

## **ORDINANCES FOR INTRODUCTION/ADOPTION**

CITY ORDINANCE ADDING CHAPTER 1.12, PROCEDURE AND LIMITATIONS PERIOD FOR FILING CLAIMS, TO TITLE 1 OF THE CITY MUNICIPAL CODE AND EMID ORDINANCE NO. 125 ADDING CHAPTER 1.08, PROCEDURE AND LIMITATIONS PERIOD FOR FILING CLAIMS, TO TITLE 1 OF THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT CODE.

City Attorney/District Legal Counsel Savaree presented the staff report.

Motion by Mayor Koelling, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to introduce by title and waive further reading of "An Ordinance of the City of Foster City Adding Chapter 1.12, Procedure and Limitations Period for Filing Claims, to Title 1, General Provisions, of the Foster City Municipal Code."

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

Motion by Director Wykoff, seconded by President Koelling, and carried unanimously, 5-0-0, to introduce by title and waive further reading of EMID Ordinance No. 125, "An Ordinance of the Estero Municipal Improvement District Adding Chapter 1.08, Procedure and Limitations Period for Filing Claims, to Title 1, General Provisions, of the Estero Municipal Improvement District Code."

Motion by Director Wykoff, seconded by President Koelling, and carried unanimously, 5-0-0, to adopt EMID Ordinance No. 125.

## **RESOLUTIONS FOR ADOPTION [continued]**

CITY RESOLUTION NO. 2006-79 SUPPORTING THE SAN MATEO UNION HIGH SCHOOL DISTRICT \$298 MILLION BOND MEASURE M ON THE NOVEMBER 2006 BALLOT.

City Clerk Calic presented the staff report.

Motion by Mayor Koelling, seconded by Councilmember Frisella, and carried 4-0-0-1, Councilmember Wykoff abstained, to adopt City Resolution No. 2006-79, "A Resolution of the City Council of the City of Foster City Supporting the San Mateo Union High School District \$298 Million Bond Measure M on the November 7, 2006 Election Ballot."

## **OLD BUSINESS**

CONSIDERATION OF USING ESTERO UTILITY BILLS FOR FCTV CABLE CHANNEL 27 VIEWERSHIP SURVEY. TABLED FROM SEPTEMBER 5. MINUTE ORDER NO. 1007.

This item was tabled from the regular meeting of September 5, 2006.

Assistant City Manager Chappelle presented the staff report.

Discussion ensued.

Ken Feldstein, Information Technology Advisory Committee member, 980 Edgewater Boulevard, addressed the City Council.

Minute Order No. 1007 adopted, as follows:

1. Motion by Mayor Koelling, seconded by Vice Mayor Cox, and carried, 4-1-0, Councilmember Frisella voted "No," to authorize the preparation and distribution of a FCTV Survey (Option 1) insert for Estero utility bills to assess the level of FCTV Cable Channel 27 viewership; and
2. Motion by Councilmember Frisella, seconded by Vice Mayor Cox, and carried unanimously, 5-0-0, to authorize the on-air request for feedback on FCTV using on-air slides after each show and an online survey.

## **COUNCIL/BOARD STATEMENTS AND REQUESTS**

Councilmember Kiramis informed the public that he will be available to meet with members of the public this Sunday from 3 p.m. to 5 p.m. in the Council Chambers.

Councilmember Wykoff invited the public to attend an Identify Theft and Safe Computing Symposium sponsored by the Foster City Information Technology Advisory Committee, the Foster City Police Department, and the Foster City Chamber of Commerce on Thursday, September 28, at 7:00 p.m. in the Council Chambers.

Councilmember Frisella reported that she attended the League of California Cities Conference in San Diego. She attended a worthwhile program about Robert's Rules of Order and another about the Aging Boom. Councilmember Frisella stated that she's learning how to be a better Councilperson and really enjoyed networking with peers and staff from other cities.

Councilmember Frisella reported that at the September 11 meeting of the San Mateo County Library Joint Powers Authority (JPA), the JPA Board recommended that each member community issue a proclamation declaring October as "One Book, One Community: San Mateo County Reads Month." The book selected is *The Kite Runner* by Khaled Hosseini. The author has graciously agreed to appear at the San Mateo Performing Arts Center on Thursday, October 19, at 7:30 p.m. to be moderated by Harvard University Middle Eastern Studies Outreach Coordinator Barbara Petzen. A proclamation declaring October as "One Book, One Community: San Mateo County Reads Month," will be on the October 3 City Council agenda and she wanted to inform the Council of her support for the proclamation as she will be unable to attend the meeting.

Mayor Koelling reported that she also attended the League of California Cities Conference in San Diego and had a great opportunity to bond with other community leaders. She stated that the theme was "Politics is Local" and strongly believes that the power of the people is at the local level. Mayor Koelling urged all members of the public to go out and vote. She attended a program regarding WiFi and publicly congratulated Administrative Services Director Steve Toler for the tremendous presentation that he gave at the conference. She also reported that she voted on a League resolution to support legislation that would allow cities to adopt stricter penalties for impounding vehicles involved in illegal sideshows. Mayor Koelling encouraged all her colleagues to attend the yearly convention.

Mayor Koelling reported that San Mateo Councilmember Carole Groom was recently elected as President and she was elected as Treasurer of the Peninsula Division of the League of California Cities.

### **CLOSED SESSION**

Mayor/President Koelling recessed the meeting into Closed Session pursuant to Government Code 54956.9(a) for a conference with legal counsel regarding the following existing litigation: Jorge Sanchez Vera vs. City of Foster City/ Estero Municipal Improvement District – Small Claims Case No. SCC 104318.

Meeting recessed into Closed Session at 9:07 p.m. and reconvened at 9:33 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 9:33 p.m.