

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

**REGULAR MEETING OF NOVEMBER 21, 2005**

**MINUTES**

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

The Regular Meeting of November 21, 2005 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 Vice Chair Linda Koelling.

Chair Rick Wykoff teleconferenced from 704 Ranger Circle, Foster City, (telephone 650-341-9164).

**ROLL CALL**

The Secretary called the roll:

**PRESENT:** Members Ron Cox, Linda Koelling, Marland W. Townsend, Deborah E. G. Wilder, and Chair Rick Wykoff.

**ABSENT:** None.

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

**CONSENT CALENDAR**

Motion by Member Townsend, seconded by Member Cox, and carried unanimously, 5-0-0, by roll call vote, to adopt the Minutes of the Regular Meeting of November 7, 2005 on the CDA Consent Calendar.

**ADJOURNMENT**

Hearing no objection from the CDA Board, Vice 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 November 21, 2005 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 Vice Mayor/Vice President Linda Koelling.

Mayor/President Rick Wykoff teleconferenced from 704 Ranger Circle, Foster City, (telephone 650-341-9164).

## **ROLL CALL**

The City Clerk/District Secretary called the roll:

**PRESENT:** Councilmembers/ex officio Directors Ron Cox, Linda Koelling, Marland W. Townsend, Deborah E. G. Wilder, and Mayor/President Rick Wykoff.

**ABSENT:** None.

**STAFF PRESENT:** James C. Hardy, City/District Manager/City Treasurer; Jean Savaree, City Attorney/District Legal Counsel; Ramon Towne, Director of Public Works; Steve Toler, Administrative Services Director; Craig Courtin, Chief of Police; Matt Martell, Police Captain; Jon Froomin, Police Captain; Joan Schoening, IT Manager; Ignatius Nelson, Public Works Water Superintendent; Steve Courtney, Video Technician; Rogerio Lima, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

## **CONSENT CALENDAR**

Motion by Councilmember/Director Townsend, seconded by Councilmember/Director Cox, and carried unanimously, 5-0-0, by roll call vote, to approve the following items on the City/District Consent Calendar:

### City Consent Calendar

1. Minutes of Regular Meeting of November 7, 2005;
2. Warrant of Demands dated November 21, 2005;
3. City Ordinance No. 523, "An Ordinance of the City of Foster City Adding Chapter 15.44, Recycling and Salvaging of Construction and Demolition Debris, of Title 15, Buildings and Construction, of the Foster City Municipal Code [First Reading November 7, 2005];"
4. City Resolution No. 2005-86, "A Resolution of the City Council of the City of Foster City Granting a New Communication Utility Cable/Conduit Easement and Authorizing the City Attorney to Execute Documents Granting the Dedication of a Communication Utility Cable/Conduit Easement for the Property Located at 100 Lincoln Center Drive (APN 094-532-120);"
5. City Resolution No. 2005-87, "A Resolution of the City Council of the City of Foster City Rejecting All Bids and Authorizing Re-Issuance of Pre-Qualification Questionnaire for (CIP 718) --- Traffic Signal Controller Replacement Project;"
6. City Resolution No. 2005-88, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Christine M. Niccoli;"

### EMID Consent Calendar

7. Minutes of Regular Meeting of November 7, 2005;
8. Warrant of Demands dated November 21, 2005;
9. EMID Resolution No. 2947, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Granting a New Communication Utility Cable/Conduit Easement and Authorizing the District Legal Counsel to Execute Documents Granting the Dedication of a Communication Utility Cable/Conduit Easement for the Property Located at 100 Lincoln Center Drive (APN 094-010-750);" and
10. EMID Resolution No. 2948, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Rejecting the Claim of Christine M. Niccoli."

### **ITEM REMOVED FROM THE CONSENT CALENDAR**

CITY RESOLUTION NO. 2005-89 APPROVING THE FIRST AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT FOR THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY.

At the request of Mayor Wykoff, Vice Mayor Koelling removed this item from the City Consent Calendar.

Discussion ensued.

Motion by Councilmember Townsend, seconded by Councilmember Cox, and carried 4-1-0, by roll call vote, Mayor Wykoff voted "No," to adopt City Resolution No. 2005-89, "A Resolution of the City Council of the City of Foster City Approving the First Amended and Restated Joint Exercise of Powers Agreement for the South Bayside Waste Management Authority."

### **PUBLIC HEARINGS**

HEAR AND CONSIDER AMENDMENTS TO THE MASTER FEES AND SERVICE CHARGES SCHEDULE FOR S-2-G.4 – CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING DEPOSIT.

Vice Mayor/Vice President Koelling opened a public hearing to hear and consider amendments to the Master Fees and Service Charges Schedule for S-2-G.4 – Construction and Demolition Debris Recycling Deposit.

Director of Public Works Towne presented the staff report.

No public testimony was received.

Motion by Councilmember/Director Wilder, seconded by Councilmember/Director Townsend, and carried unanimously, 5-0-0, by roll call vote, to close the public hearing.

Motion by Councilmember/Director Townsend, seconded by Councilmember/Director Cox, and carried unanimously, 5-0-0, by roll call vote, to adopt the following resolutions:

1. City Resolution No. 2005-90, "A Resolution of the City Council of the City of Foster City Adjusting Development-Related Charges by Amending the Master Fees and Service Charges Schedule; and
2. EMID Resolution No. 2949, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Adjusting Development-Related Charges by Amending the Master Fees and Service Charges Schedule."

PUBLIC HEARING TO HEAR AND CONSIDER THE 2005 URBAN WATER MANAGEMENT PLAN (UWMP).

Vice President Koelling opened a public hearing to hear and consider the 2005 Urban Water Management Plan (UWMP).

Director of Public Works Towne presented the staff report.

No public testimony was received.

Motion by Director Townsend, seconded by Director Cox, and carried unanimously, 5-0-0, by roll call vote, to close the public hearing.

Motion by President Wykoff, seconded by Director Townsend, and carried unanimously, 5-0-0, by roll call vote, to adopt EMID Resolution No. 2950, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the 2005 Urban Water Management Plan (UWMP)," with modifications to DMM 10 – Wholesale Agency Programs Implementation Description and DMM 12 – Water Conservation Coordinator Implementation Description as described by staff.

## **NEW BUSINESS**

CABLE FRANCHISE AGREEMENT WITH COMCAST OF CALIFORNIA XII, INC. CITY RESOLUTION NO. 2005-91.

Administrative Services Director Toler presented the staff report.

Discussion ensued.

Motion by Councilmember Townsend, seconded by Councilmember Wilder, and carried unanimously, 5-0-0, by roll call vote, to adopt City Resolution No. 2005-91, "A Resolution of the City Council of the City of Foster City Authorizing Execution of a Non-Exclusive Cable Franchise Agreement with Comcast of California XII, Inc."

## **ORDINANCES FOR INTRODUCTION**

CITY ORDINANCE AMENDING CHAPTER 14.01, GOVERNING THE PROVISION OF CABLE SERVICES IN THE CITY, OF TITLE 14, PUBLIC UTILITIES.

Administrative Services Director Toler presented the staff report.

Discussion ensued.

Motion by Councilmember Townsend, seconded by Mayor Wykoff, and carried unanimously, 5-0-0, by roll call vote, to introduce by title and waive further reading of "An Ordinance of the City of Foster City Amending Chapter 14.01. Governing the Provision of Cable Services in the City, of Title 14, Public Utilities, of the Foster City Municipal Code."

Motion by Councilmember Townsend, seconded by Mayor Wykoff, and carried unanimously, 5-0-0, by roll call vote, to pass the ordinance to second reading.

## **RESOLUTIONS FOR ADOPTION**

CITY RESOLUTION NO. 2005-92 AUTHORIZING THE PURCHASE OF A POLICE COMPUTER-AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM FROM SUN RIDGE SYSTEMS, INC., AND APPROPRIATION OF UNRESTRICTED UNDESIGNATED RESERVES FROM THE INFORMATION TECHNOLOGY INTERNAL SERVICES FUND (#504).

Police Chief Courtin presented the staff report.

Motion by Councilmember Townsend, seconded by Councilmember Cox, and carried unanimously, 5-0-0, by roll call vote, to adopt City Resolution No. 2005-92, "A Resolution of the City Council of the City of Foster City Authorizing the Purchase of a Police Computer-Aided Dispatch/Records Management System from Sun Ridge Systems, Inc., and Appropriation of Unrestricted Undesignated Reserves from the Information Technology Internal Services Fund (#504)."

CITY RESOLUTION NO. 2005-93 AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE JOINT POWERS AGREEMENT ESTABLISHING THE CRIMINAL JUSTICE COUNCIL OF SAN MATEO COUNTY, TERMINATING THE JOINT POWERS AGREEMENT; AND MINUTE ORDER NO. 958, RE DISPOSAL OF REMAINING CRIMINAL JUSTICE COUNCIL FUNDS TO CORA.

Police Chief Courtin presented the staff report.

Motion by Councilmember Townsend, seconded by Councilmember Cox, and carried unanimously, 5-0-0, by roll call vote, to adopt City Resolution No. 2005-93, "A Resolution of the City Council of the City of Foster City Authorizing the Execution of an Amendment to the Joint Powers Agreement Establishing the Criminal Justice Council of San Mateo County, Terminating the Joint Powers Agreement," and to adopt Minute Order No. 958, directing staff to dispose of Foster City's allocation of remaining Criminal Justice Council funds estimated to be \$1,169 by contributing them to the CORA – Community Overcoming Relationship Abuse Emergency Response Program.

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

Councilmember Townsend suggested that interested individuals go to the League of California Cities' website at [www.cacities.org](http://www.cacities.org) to get information regarding the 2005 election wrap up and initiative outlook for 2006.

Vice Mayor Koelling informed Mayor Wykoff that he was missed at the ribbon cutting for the 8.0 million gallon water tank today.

Mayor Wykoff thanked everyone who has done something nice for him in the last week and a half. He stated that it is more relaxing watching Council meetings from home.

Vice Mayor Koelling wished Mayor Wykoff a speedy recovery from his recent surgery.

## **ADJOURNMENT**

Hearing no objection from Council/Board, Vice Mayor/Vice President Koelling adjourned the meeting. Meeting adjourned at 8:20 p.m.