

**CITY OF FOSTER CITY/  
ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

**REGULAR MEETING OF MAY 18, 2015**

**MINUTES**

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

The Regular Meeting of May 18, 2015 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 6:30 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/President Art Kiesel.

**ROLL CALL**

The City Clerk/District Secretary called the roll:

**PRESENT:** Councilmembers/ex officio Directors Charlie Bronitsky, Steve Okamoto, Herb Perez, Gary Pollard and Mayor/President Art Kiesel.

**ABSENT:** None.

**STAFF PRESENT:** James C. Hardy, City/District Manager; Jean B. Savaree, City Attorney/District Legal Counsel; Kevin Miller, Parks and Recreation Director; Ann Ritzma, Interim Assistant City Manager; Matt Martell, Police Chief; Mike Keefe, Fire Chief; John Mapes, Fire Marshal; Jim Scott, Battalion Chief; Curtis Banks, Community Development Director; Edmund Suen, Finance Director; Jeff Moneda, Public Works Director; Norm Dorais, Public Works Maintenance Manager; Tracy Avelar, Police Lieutenant; Leslie Carmichael, Consulting Planner; Rene Mendoza, Video Technician and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

**SPECIAL PRESENTATIONS**

**PROCLAMATION HONORING 1ST PLACE WINNERS FOR "TRASH TO ART" CONTEST."**

On behalf of the City Council, Mayor Kiesel presented a proclamation honoring 1<sup>st</sup> Place Winners for "Trash to Art" Contest to Dawn Presse, Foster City School Teacher and several members of her fifth grade class.

**PROCLAMATION DECLARING "PUBLIC WORKS WEEK."**

On behalf of the City Council, Mayor Kiesel presented a proclamation declaring May 17-23, 2015 as "Public Works Week" to Norm Dorais, Public Works Maintenance Manager.

**PUBLIC**

1. Mike Hayat addressed the City Council regarding concern over water rates.
2. Kate Comfort Harr, HIP Housing, provided an update on the Homeshare Program.

**CONSENT CALENDAR**

Motion by Councilmember/Director Bronitsky, seconded by Councilmember/Director Okamoto, and carried unanimously, 5-0-0, approving the following items on the City/District Consent Calendar:

City Consent Calendar

1. Minutes of the Regular Meeting of May 4, 2015;
2. City Ordinance No. 594, "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 ±132-Acre Lands Known as Vintage Park to Decrease the Restaurant Area from ±18,994 Square Feet to ±15,348 Square Feet and Allow Up to ±6,455 Square Feet of Fast Casual Dining or Retail Space in Order to Allow the Mixed Restaurant and Retail Building Located at 1297 Chess Drive (APN 094-901-350) in Neighborhood Vintage Park (VP) -- RZ-14-003 [First Reading May 4, 2015];"
3. City Resolution No. 2015-42, "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 2015-2016;"
4. City Resolution No. 2015-43, "A Resolution of the City Council of the City of Foster City Accepting the Work by Traffic Development Services, Inc. for Installation of LED Rectangular Rapid Flashing Beacons on Beach Park Boulevard at Bowditch Middle School (CIP 301-647) and Directing the City Clerk to File the Notice of Completion;"

EMID Consent Calendar

5. Minutes of the Regular Meeting of May 4, 2015; and
6. EMID Resolution No. 3298, "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 2015-2016."

**NEW BUSINESS**

PROPOSAL TO REZONE PILGRIM TRITON PHASE C (551-565 PILGRIM DRIVE) FROM CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) WITH A GENERAL DEVELOPMENT PLAN THAT ALLOWS 172,943 SQ. FT. OF COMMERCIAL USES AND 17 TOWNHOUSES TO CM/PD WITH A REVISED GENERAL DEVELOPMENT PLAN TO ALLOW 65-70 FOR-SALE TOWNHOUSES – NEIGHBORHOOD PT – APN 094-010-520 – PR-15-003 [SARES REGIS GROUP OF NORTHERN CALIFORNIA - APPLICANT]

Planning Consultant Carmichael presented the staff report.

Applicant Dave Hopkins, Senior Vice President of Sares Regis, addressed the City Council.

The following people addressed the City Council in opposition of the project proposal:

1. Bob Cushman, 602 Greenwich Lane;
2. Deno Milano, 671 Bridgeport Lane;
3. Diane Paolucii, 1061 Hatteras Court;
4. Phyllis Moore, 1019 Monterey Avenue;
5. Norm Kirby, 107 Challenge Court;
6. Robert Reingold, 126 Shooting Star Isle;
7. Bernadette Hsing, 1170 Foster City Boulevard #106;
8. Joann Metz, 921 Constitution Drive;
9. Isabel Orphanopoulos, Bounty Drive;
10. Ran Petel, 830 Lurline Drive;

11. Dmitry Koltun, 1075 Grebe Street;
12. David McIntyre, 141 Shooting Star Isle;
13. Naravanan Kallingal, 847 Vespucci Lane; and
14. Carol Chou, Japanese Restaurant, 3 Plaza View Lane Suite M.

The following people addressed the City Council in support of further studying the project proposal:

1. Dawn Sunday, 600 Comet;
2. Sam Hindi, Chair, Board of Directors, Foster City Chamber of Commerce;
3. Melanie Stinogel, 872 Wharfside Road;
4. Stephanie Sellai;
5. John Igoe, 387 Mullet Court;
6. Daniel Camp, 4009 24th Street, San Francisco;
7. Sonja Trauss – SF Bay Area Renter Association; and
8. Joanne Bohigian, 1034 Ridder Lane.

Discussion ensued.

The City Council comments regarding this proposed project were as follows:

Councilmember Okamoto

- Thanked everyone for attending and sending emails.
- Stated that he tries to make decisions based on facts, not emotions.
- Stated that a fact is schools are overcrowded and families want to move to Foster City due to high test scores, which increases property values.
- Stated that traffic is heavier due to booming economy on the peninsula. More people working, driving on the freeways cause more traffic.
- Only one residential building built in Foster City since 2000.
- Questioned two parts of a flyer that was issued by a group that provided incorrect information.
- Suggested that the developer approach employers to provide housing assistance programs for local employees.
- Suggested that Sares Regis support new school bond.
- Expressed concerns regarding impact on existing and future businesses.

Councilmember Bronitsky

- Explained that the purpose of the meeting was not to make a decision, but a preliminary hearing to obtain community feedback.
- Thanked people who sent constructive emails, and requested that people be respectful when voicing their opinions.
- Explained that the City must deal with revenue issues due to the upcoming Wastewater plant upgrade, raising the height of the levee, and other expenses. Half of our revenue comes from property taxes and responsible growth is necessary.
- Stated that traffic is related to the growing tech industry, and may be reduced if we work with the developer.
- Encouraged people who are concerned with school issues to participate and get involved in school district's efforts to address school overcrowding.
- Stated that water is a key issue, and the City is the largest user of water. Encouraged people to request that the City reevaluate its use of water.
- Stated that there is frustration in retail when businesses are not patronized.
- Stated that affordable housing is critical and allows opportunities for people in service industries such as firefighters and teachers to live in Foster City.
- Felt the proposed project needed more study.

Councilmember Perez

- Explained that he met with three legislators and has an upcoming meeting with Kevin Mullin to discuss the state law regarding Housing Elements.
- Stated that he read all the emails and saw that people are passionate about this topic.
- Explained that the City Council is not making a decision at this meeting.
- Stated that development is going to happen. Explained that responsible development is when you create a plan with stakeholders that works.
- Stated that traffic is the result of bad highway design in California.
- Stated that he believed that the school issue will not be fixed and encouraged people to attend the Next Steps meetings and expressed concerns regarding the accuracy of the school enrollment projection.
- Stated that retail businesses succeeded when they are good.
- Stated that we have water issues, and they will continue.
- Stated that he cannot support the proposed project until the City has a sophisticated conversation about responsible growth.

Vice Mayor Pollard

- Thanked people who spoke at the meeting, sent emails, and signed petition because it is our city, and it is important to hear everyone's opinions.
- Explained that he spoke over the phone with people who submitted emails and was thanked for providing facts.
- Explained that his responsibility as a policy maker is to have information and facts to set policy.
- Encouraged Sares Regis to conduct a study to provide more information.

Mayor Kiesel

- Stated that there is a lot of misunderstanding.
- Stated that there is shortage of housing on the peninsula and more housing, especially affordable housing, is needed.
- Explained his concerns about traffic, and stated that this project will not affect traffic on nearby highways.
- Felt that the proposed project would generate less traffic than the existing approved project.
- Stated that water issues are not just in Foster City, but impact is state-wide. Despite our conservation efforts, it had no impact on recent state mandates.
- Felt that the school issues could be addressed in the next 2-3 years.
- Stated that relocation assistance should be provided to displaced tenants.
- Expressed support for the project to move forward with more studies.

RECESS: The Mayor recessed the meeting at 9:17 p.m. and reconvened at 9:29 p.m.

APPOINTMENT OF ONE MEMBER TO A NEW FULL TERM FROM JUNE 1, 2015 THROUGH MAY 31, 2019 ON THE PLANNING COMMISSION. CITY RESOLUTION NO. 2015-44.

City Clerk Palmer presented the staff report.

Applicants Noemi K. Avram, Navneet Goel, and Louis B. Lin were interviewed by the City Council.

Discussion ensued.

Motion by Vice Mayor Kiesel, seconded by Councilmember Okamoto, and carried unanimously, 5-0-0, to adopt City Resolution No. 2015-44, "A Resolution of the City Council of the City of Foster City Appointing One Member to the Foster City Planning Commission [Noemi K. Avram from June 1, 2015 through May 31, 2019]."

With consensus from the City Council, Mayor/President Kiesel adjourned the meeting at 9:53 p.m. to May 20, 2015 at 4:00 p.m. The following items were continued to the Adjourned Regular Meeting on May 20, 2015.

## REPORTS

STATE WATER RESOURCES CONTROL BOARD ACTIONS IN RESPONSE TO THE GOVERNOR'S EXECUTIVE ORDER REGARDING THE DROUGHT AND MANDATORY WATER CONSERVATION AND DISTRICT'S IMPLEMENTATION AND COMMUNICATION PLAN. [Continued to May 20, 2015]

EARTH DAY STATUS REPORT ON CLIMATE ACTION PLAN AND BEACON AWARD APPLICATION.  
[Continued to May 20, 2015]

FINANCIAL UPDATE FOR 3RD QUARTER OF FY 2015-2016. [Continued to May 20, 2015]

## COMMUNICATIONS

CONSIDERATION OF A JOINT MEETING WITH THE SAN MATEO CITY COUNCIL AND THE SAN MATEO-FOSTER CITY SCHOOL DISTRICT BOARD TO DISCUSS SCHOOL ISSUES. [TABLED FROM MAY 4, 2015] [Continued to May 20, 2015]

CITY/DISTRICT WARRANT OF DEMANDS. [Continued to May 20, 2015]

## COUNCIL/BOARD STATEMENTS AND REQUESTS

[Continued to May 20, 2015]

## ADJOURNMENT

Hearing no objection from the City Council/EMID Board, Mayor/President Kiesel adjourned the meeting to the Adjourned Regular Meeting on May 20, 2015 at 4:00 p.m. Meeting adjourned at 9:53 p.m.

Kloris Palmer

Doris L. Palmer, City Clerk/District Secretary

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