

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

REGULAR MEETING OF MAY 7, 2018

MINUTES

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of May 7, 2018 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 Sam Hindi.

ROLL CALL

The Communications Director/City Clerk/District Secretary called the roll:

PRESENT: Councilmembers/ex officio Directors Charlie Bronitsky, Catherine Mahanpour, Herb Perez, Gary Pollard and Mayor/President Sam Hindi.

ABSENT: None.

STAFF PRESENT: Kevin M. Miller, City/District Manager; Jean Savaree, City Attorney/District Legal Counsel; Dante Hall, Assistant City Manager; Joe Pierucci, Police Chief; John Healy, Fire Chief; Jeff Moneda, Public Works Director/District Engineer; Curtis Banks, Community Development Director; Ann Ritzma, Human Resources Director; Jennifer Liu, Parks and Recreation Director; Martin Ticas, Police Captain; Norm Dorais, Public Works Maintenance Manager; Rob Lasky, IT Manager; Timothy Maier, Associate Planner; Yelena Cappello, Deputy City Clerk; Shuli Chen, Video Technician; and Priscilla Tam, Communications Director/City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION DECLARING "NATIONAL POLICE WEEK" AND "PEACE OFFICERS' MEMORIAL DAY."

Mayor/President Hindi presented the proclamation declaring the week of May 13-19 as "National Volunteer Week" and May 15, 2018 as "Peace Officers' Memorial Day" to Officer Young Fan, Officer Josiah Sergerquist, and Officer Mayra Valdivia.

PRESENTATION FROM THE LIONS CLUB DONATING A CHECK TO THE FOSTER CITY FOUNDATION.

Jeanne Gallagher, Art Kiesel, Patrick Sullivan, and Mary True on behalf of the Lions Club, presented a check in the amount of \$30,000.00 to the Foster City Foundation for a shade structure at Shorebird Park.

PUBLIC

Ansh Gupta, 1017 Apt #2 Catamaran Street, representing Brahma Kumaris Silicon Valley, addressed the City Council regarding Sister Shivani's motivational talks on June 2 held at the Santa Clara Convention Center and June 3 held at the San Ramon Marriott.

Without objection from the City Council/EMID Board, Mayor/President Hindi took "Information Technology Advisory Committee's 2017 Year End Report, Review of Mission Statement, and Goals for 2018" and "Consideration of Preliminary Review of the Proposed Redevelopment of the Costco Site at 1001 Metro Center Boulevard to Construct a +155,000 Square-Foot Building with Parking on the First Level to Replace the Existing +120,338 Square-Foot Building, and Addition of a New Gas Station" out of agenda order.

REPORTS

INFORMATION TECHNOLOGY ADVISORY COMMITTEE'S 2017 YEAR END REPORT, REVIEW OF MISSION STATEMENT, AND GOALS FOR 2018. MINUTE ORDER NO. 1542.

Information Technology Advisory Committee member Richa Aswathi presented the Information Technology Advisory Committee's 2017 Year End Report, Review of Mission Statement, and Goals for 2018.

Motion by Vice Mayor Pollard, seconded by Councilmember Bronitsky, and carried unanimously, 5-0-0, to adopt Minute Order No. 1542, receiving and accepting the Information Technology Advisory Committee's 2017 Year End Report, Review of Mission Statement, and Goals for 2018.

NEW BUSINESS

PRELIMINARY REVIEW OF THE PROPOSED REDEVELOPMENT OF THE COSTCO SITE AT 1001 METRO CENTER BOULEVARD TO CONSTRUCT A +155,000 SQUARE-FOOT BUILDING WITH PARKING ON THE FIRST LEVEL TO REPLACE EXISTING +120,338 SQUARE-FOOT BUILDING, AND ADDITION OF A NEW GAS STATION.

Mayor Hindi recused himself from this item due to a potential conflict of interest based on his ownership of a gas station in Foster City. Mayor Hindi indicated that he had

requested an opinion on this question from the Fair Political Practices Commission (FPPC) but the FPPC had not yet issued its opinion.

Mayor Hindi left the meeting at 6:48 p.m.

Community Development Director Banks and Associate Planner Maier presented the staff report.

No public testimony was received.

David Babcock, Principal, representing David Babcock and Associates, Ed Galloway, Architect, representing MG2 Architects, and Kim Katz, Director of Real Estate Development, representing Costco, addressed the City Council.

Discussion ensued.

No action taken.

Mayor Hindi returned to the meeting at until 7:32 p.m.

RECESS. The Mayor/President recessed the meeting from 7:32 p.m. to 7:40 p.m.

CONSENT CALENDAR

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

City/EMID Consent Calendar

1. City/EMID Regular Meeting of April 16, 2018;
2. City Resolution No. 2018-28, "A Resolution of the City Council of the City of Foster City Accepting the Work by Salt River Construction Corporation for the Dredging at the Lagoon Intake Structure Project (CIP 301-629) and Directing the City Clerk to File the Notice of Completion;"
3. City Resolution No. 2018-29, "A Resolution of the City Council of the City of Foster City Authorizing Staff to Issue a Request for Proposals for Mobile Data Computer (MDC) Replacements for Police Patrol Cars;"
4. City Resolution No. 2018-30, "A Resolution of the City Council of the City of Foster City Authorizing Receipt of a \$30,000 Donation From the Foster City Lions Club to be Deposited Into the Foster City Foundation Fund for the Purchase of a Shade Structure for Shorebird Park, Authorizing the Remaining Amount of \$19,397.01 to be Funded from the Park-In-Lieu Fund and Authorizing the Purchase of Shade Structure from USA Shade for Shorebird Park Using the Lions Club Donation and Park-In-Lieu Fund in the Amount of \$49,397.01;"
5. City Resolution No. 2018-31, "A Resolution of the City Council of the City of Foster City Appropriating \$30,174.76 from the General Fund to Account No.

- 001-0680-421-4255 for Police Department Training and the Gang Resistance Education and Training (G.R.E.A.T.) Program;”
6. City Resolution No. 2018-32, “A Resolution of the City Council of the City of Foster City Changing the Name of the Information Technology Advisory Committee to the Innovation and Technology Advisory Committee and Approving an Amended Policy Statement for the Innovation and Technology Advisory Committee;”
 7. City Resolution No. 2018-33, “A Resolution of the City Council of the City of Foster City Approving an Expenditure in the Amount of \$93,912.40, and Approving Payment to Rosas Brothers Construction for Emergency Sidewalk Repairs and Curb Ramp Installations at Various Locations Within the City;” and
 8. EMID Resolution No. 3411, “A Resolution of the Board Of Directors of the Estero Municipal Improvement District Approving the Updated Water Shortage Contingency Plan.”

PUBLIC HEARINGS

ADOPTING CHAPTER 8.59, RESTRICTIONS ON WASTEFUL WATER PRACTICES, AND AMENDING CHAPTER 8.60, WATER CONSERVATION AND RATIONING, OF TITLE 8, WATER AND SEWER SERVICE, OF THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT CODE. EMID RESOLUTION NO. 3412. EMID ORDINANCE NO. 136.

President Hindi opened a public hearing to hear and consider public comments regarding an ordinance of the Estero Municipal Improvement District adopting Chapter 8.59, Restrictions on Wasteful Water Practices, and Amending Chapter 8.60, Water Conservation and Rationing, of Title 8, Water and Sewer Service, of the Estero Municipal Improvement District Code.

Public Works Maintenance Manager Dorais presented the staff report.

No public testimony was received.

Without objection from the EMID Board of Directors, President Hindi closed the public hearing.

Discussion ensued.

Motion by Director Bronitsky, seconded by Director Mahanpour, and carried unanimously, 5-0-0, to adopt EMID Resolution No. 3412, “A Resolution of the Board of Directors of the Estero Municipal Improvement District Rescinding Resolutions No. 3260 and 3275, Which Authorized the Implementation of Water Conservation Measures as Defined in Section 8.60.050 A, B, C, E, F, and L of Chapter 8.60 of the District Code, Establishing Fines for Violations of the Declaration of Water Shortage Emergency, Amending the Master City/District Fees and Service Charges Schedule for FY 2014-2015.”

Motion by Director Bronitsky, seconded by Director Mahanpour, and carried unanimously, 5-0-0, to introduce the ordinance by title and waive further reading of "An Ordinance of the Estero Municipal Improvement District Adopting Chapter 8.59, Restrictions on Wasteful Water Practices, and Amending Chapter 8.60, Water Conservation and Rationing, of Title 8, Water and Sewer Service, of the Estero Municipal Improvement District Code."

Motion by Director Bronitsky, seconded by Director Mahanpour, and carried unanimously, 5-0-0, to adopt EMID Ordinance No. 136, "An Ordinance of the Estero Municipal Improvement District Adopting Chapter 8.59, Restrictions on Wasteful Water Practices, and Amending Chapter 8.60, Water Conservation and Rationing, of Title 8, Water and Sewer Service, of the Estero Municipal Improvement District Code."

NEW BUSINESS

WORKFORCE HOUSING PROPOSAL FOR PHASE C OF PILGRIM TRITON PROJECT. MINUTE ORDER NO. 1543.

City Manager Miller and Community Development Director Banks presented the staff report.

Discussion ensued.

Motion by Councilmember Perez, seconded by Councilmember Bronitsky, and carried, 4-1-0, Councilmember Mahanpour voted "no," to adopt Minute Order No. 1543, receiving and accepting the Workforce Housing Proposal for Phase C of Pilgrim Triton Project report.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands were processed and issued on April 11, 2018, April 18, 2018, and April 23, 2018 were listed on the agenda for information purposes only. No action was taken.

COUNCIL/BOARD STATEMENTS AND REQUESTS, COUNCIL LIAISON REPORTS, AND CITY/DISTRICT MANAGER REPORTS

City/District Manager Miller asked the City Council if they would be interested in a future agenda item to consider a resolution to commit up to \$10 million for the Levee Protection Planning and Improvements Project cost overruns. He also stated that Foster City is pursuing grant opportunities and submitting an application for a state grant. The grant will be submitted for \$3 million in September for the Levee Protection Planning and Improvements Project. He brought awareness to the bid environment and how it has changed. He reminded everyone about the special meetings coming up on May 14 at 5:30 p.m. for the Community Wall of Fame Inductees and at 6:30 p.m. for the Budget

Study Session. He stated there is a Business Roundtable on May 10 held at the Community Center's Wind Room.

Councilmember/Director Mahanpour stated she attended the Friends of the Library Board Meeting on April 17. She stated there is a membership drive coming up and asked anyone who is interested to contact the librarian. She also attended the Peninsula Clean Energy (PCE) Board Meeting on behalf of Vice Mayor Pollard, on April 26. She stated an interim CEO was hired as they continue to look for a full-time CEO. She also stated that Visa opted up to ECO100. The board will be forming a legislative policy ad-hoc committee and she will be part of the committee. She and the Mayor attended a kick-off meeting with Burks Toma to discuss the timeline and concepts for the Recreation Center on May 3. She also attended the Polynesian Festival on May 5 and said it was well attended and that the performances were great.

Councilmember/Director Perez stated he visited Kids Connection Private School on May 7. He stated there will be a Champions Day event at Kids Connection on May 23.

Councilmember/Director Bronitsky stated he attended the South Bayside Waste Management Authority (SBWMA) meeting on April 26. He also stated that 8 agencies voted and approved the contract extension with Recology.

Vice Mayor/Vice President Pollard stated he attended the Youth Advisory Committee (YAC) Spaghetti Feed on April 26. He also noted that the Information Technology Advisory Committee has changed their name to Innovation and Technology Advisory Committee.

Mayor/President Hindi reminded the City Council about the Special Meetings on May 14 and also invited the public to join. He also stated there is a Business Roundtable on May 10. On April 26, he met with 3rd graders from Ronald C. Wornick Jewish Day School. He reminded everyone of the election coming up on June 5. Everyone will be receiving a ballot and he urged everyone to exercise their right to vote. He asked the public to seek information from staff regarding the Levee Protection Planning and Improvements Project so that they can make an informed decision.

ITEM REMOVED FROM THE AGENDA.

CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION GOVERNMENT CODE §54956.9(B): ONE POTENTIAL CASE."

The Communications Director/City Clerk/District Secretary announced that at the request of staff, the Conference with Legal Counsel - Anticipated Litigation (Government Code §54956.9(b)): One Potential Case was removed from the agenda.

ADJOURNMENT

Hearing no objection from the City Council/EMID Board, Mayor/President Hindi adjourned the meeting. Meeting adjourned at 8:45 p.m.