CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of October 2, 2017 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 Charlie Bronitsky.

ROLL CALL

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

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

ABSENT: None.

STAFF PRESENT: Kevin M. Miller, City/District Manager; Jean Savaree, City Attorney/District Legal Counsel; Jeff Moneda, Public Works Director/District Engineer; Dante Hall, Assistant City Manager; Joe Pierucci, Police Chief; Curtis Banks, Community Development Director; Jennifer Liu, Parks and Recreation Director; Ann Ritzma, HR Director; Edmund Suen, Finance Director; Fiti Rusli, Assistant Finance Director; Tim Maier, Associate Planner; Vorisia Henderson, Fire Inspector; Emer Shum, Accountant I; Priscilla Tam, Deputy City Clerk; Shuli Chen, Video Technician; and Doris L. Palmer, Communications Director/City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION DECLARING THE MONTH OF OCTOBER AS "DOWN SYNDROME AWARENESS MONTH."

Councilmember Mahanpour presented the proclamation declaring October 2017 as "Down Syndrome Awareness Month" to Julie Tang, Program Manager at Down Syndrome Connection of the Bay Area.
PROCLAMATION DECLARING THE WEEK OF OCTOBER 8-14, 2017 AS "FIRE PREVENTION WEEK."

Vice Mayor Sam Hindi presented the proclamation declaring the week of October 8-14, 2017 as “Fire Prevention Week” to Vorisia Henderson.

CONSENT CALENDAR

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

City/EMID Consent Calendar

1. Minutes of City/EMID Regular Meeting of September 18, 2017;
2. City Resolution No. 2017-73, “A Resolution of the City Council of the City of Foster City Appointing Rick Wykoff as the Foster City Representative on the Board of Trustees of the San Mateo County Mosquito and Vector Control District for a Two-Year Term Commencing January 1, 2018 through December 31, 2019;”
3. City Resolution No. 2017-74, “A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Execute and Sign an Agreement with the Houston-Galveston Area Council Program (HGAC);” and

ITEMS REMOVED FROM CONSENT CALENDAR

ENCROACHMENT AGREEMENT WITH ZAYO GROUP, LLC FOR THE INSTALLATION OF FIBER OPTIC NETWORK FACILITIES AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE AGREEMENT. REMOVED FROM AGENDA.

At the request of staff, “A Resolution of the City Council of the City of Foster City Approving the Encroachment Agreement with Zayo Group, LLC for the Installation of Fiber Optic Network Facilities and Authorizing the City Manager or Designee to Execute the Agreement’ was pulled from the agenda.

PUBLIC HEARINGS

GARBAGE COLLECTION RATES FOR SOLID WASTE, RECYCLABLES, AND ORGANICS FOR THE YEAR 2018. MINUTE ORDER NO. 1513.
Mayor Bronitsky opened a public hearing to hear and consider public comments regarding the Foster City Garbage Collection Rates for Solid Waste, Recyclables, and Organics for the Year 2018.

Public Works Director Moneda presented the staff report.

No public testimony was received.

Without objection from the City Council, Mayor Bronitsky closed the public hearing.

Discussion ensued.

Motion by Mayor Bronitsky, seconded by Councilmember Mahanpour, and carried unanimously, 5-0-0, to adopt Minute Order No. 1513, directing staff to proceed with mailing the Proposition 218 notice setting a public hearing notice to increase the 2017 collection rates by 3.5% and increase the “Rates for Unscheduled Services” by 1.72% for 2018.

TEXT AMENDMENTS TO CHAPTERS 17.04, DEFINITIONS, AND 17.78, SECONDARY RESIDENTIAL UNITS, OF TITLE 17, ZONING, OF THE FOSTER CITY MUNICIPAL CODE TO ENSURE COMPLIANCE WITH STATE LAW RELATED TO ACCESSORY DWELLING.

Mayor Bronitsky opened a public hearing to hear and consider public comments regarding Text Amendments to Chapters 17.04, Definitions, and 17.78, Secondary Residential Units, of Title 17, Zoning, of the Foster City Municipal Code to Ensure Compliance with State Law Related to Accessory Dwelling.

Associate Planner Maier presented the staff report.

Without objection from the City Council, Mayor Bronitsky closed the public hearing.

Discussion ensued.

Motion by Councilmember Mahanpour, seconded by Councilmember Pollard, and carried unanimously, 5-0-0, motion waived further reading.

Motion by Vice Mayor Hindi, seconded by Councilmember Mahanpour, and carried unanimously, 5-0-0, passed the ordinance to a second reading.

NEW BUSINESS

COMMERCIAL FACADE IMPROVEMENT GRANT PROGRAM. CITY RESOLUTION NO. 2017-76.

Assistant City Manager Hall presented the staff report.
Councilmember/Director Perez recused himself.

Discussion ensued.

Motion by Vice Mayor/Vice President Hindi, seconded by Councilmember/Director Mahanpour, and carried, 4-0-0, approving City Resolution No. 2017-76, “A Resolution of the City Council of the City of Foster City Establishing a Commercial Facade Improvement Grant Program.”

RESOLUTIONS FOR ADOPTION

BUSINESS TERM SHEET FOR ACQUISITION OF LAND AND DEVELOPMENT OF WORKFORCE HOUSING ON A PORTION OF THE PILGRIM TRITON PHASE C PROPERTY WITH PILGRIM TRITON PHASE III FC LP. CITY RESOLUTION NO. 2017-77.

City Manager Miller presented the staff report.

The following people addressed the City Council/EMID Board of Directors in favor of the project:
1. Pam Frisella, 291 Hudson Bay Street; representing Housing Endowment and Regional Trust (HEART);
2. Dawn McDaniel, 600 Comet Drive; and

Danny Gam, 279 Hudson Bay Street, representing the Foster City Chinese American Association, addressed the City Council in opposition to this item.

Discussion ensued.

Motion by Councilmember Pollard, seconded by Councilmember Mahanpour, and carried, 5-0-0, approving City Resolution No. 2017-77, “A Resolution of the City Council of the City of Foster City Approving a Business Term Sheet for Acquisition of Land and Development of Workforce Housing on a Portion of the Pilgrim Triton Phase C Property with Pilgrim Triton Phase III FC LP.”

RECESS. The Mayor/President recessed the meeting from 8:25 p.m. to 8:30 p.m.

CITY COUNCIL’S RESPONSE TO THE SAN MATEO COUNTY CIVIL GRAND JURY REPORT, DATED JULY 12, 2017, ENTITLED "A DELICATE BALANCE: PRIVACY V. PROTECTION" AND AUTHORIZING THE MAYOR TO TRANSMIT THE RESPONSE LETTER. RESOLUTION NO. 2017-78.

Police Chief Pierucci presented the staff report.

Discussion ensued.
Motion by Councilmember Mahanpour, seconded by Councilmember Perez, and carried, 5-0-0, approving City Resolution No. 2017-78, “A Resolution of the City Council of the City of Foster City Approving the City Council's Response to the San Mateo County Civil Grand Jury Report, Dated July 12, 2017, Entitled "A Delicate Balance: Privacy v. Protection" and Authorizing the Mayor to Transmit the Response Letter.”

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands were processed and issued on September 11, 2017, and September 13, 2017.

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

City/District Manager Miller approved that there is a special meeting at 6:30 p.m. on October 9. There will also be a regular meeting on October 16 and a special meeting on October 23 at 6:30 p.m. He stated on October 11, from 6:30 pm to 8:30 pm is the 3rd session of the Community Dialogue Series on Transportation and Mobility. He encouraged the public to attend. He thanked the Council for their leadership and courage.

Councilmember/Director Mahanpour stated she attended the Recreation Center Subcommittee on September 19. She reminded everyone that we have a passionate community, we may disagree but we can agree that we all care about Foster City and we want a better Foster City.

Councilmember/Director Perez stated we have a safe community, however, he encouraged families to be more vigilant about their surroundings, and ask parents to talk to their children about strangers.

Councilmember/Director Pollard stated the ice rink in Bridgepoint San Mateo has re-opened. He thanked Councilmember/Director Mahanpour for attending the Peninsula Clean Energy meeting on October 23 on his behalf. He reminded everyone that the next Community Dialogue Series event is on October 11 at 6:30 pm to 8:30 pm in the Lagoon Room at the Recreation Center.

Vice Mayor/Vice President Hindi stated this past Saturday that he attended a meeting for the Foster City Association of Black Residents which was established in 1967.

Mayor/President Bronitsky thanked colleagues for what they have done today. It proves that we are thinking outside of the box, innovators and not afraid to lead. He stated he attended the Bay Area Water Supply and Conservation Agency meeting on September 21 and discussed the increased water usage due to warmer than usual months. He
asked people to continue to conserve water and take advantage of the rebate programs.

CLOSED SESSION

Mayor/President Bronitsky recessed the meeting into Closed Session for Public Employment (Government Code §54957) - Title: Communications Director/City Clerk.

Meeting recessed into Closed Session at 8:43 p.m. and reconvened at 8:50 p.m.

Mayor/President Bronitsky reported that no action was taken in Closed Session.

ADJOURNMENT

Hearing no objection from the City Council/EMID Board, Mayor/President Bronitsky adjourned the meeting. Meeting adjourned at 8:50 p.m.