

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

**REGULAR MEETING OF JUNE 17, 2024**

**MINUTES**

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

The Regular Meeting of June 17, 2024 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. by Mayor/President Patrick Sullivan.

This meeting was held as a hybrid meeting.

**ROLL CALL**

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

**PRESENT:** Councilmembers/ex officio Directors Jon Froomin, Sam Hindi, Stacy Jimenez, Art Kiesel, and Mayor/President Patrick Sullivan.

**ABSENT:** None.

**STAFF PRESENT:** Marlene Subhashini, Acting City/District Manager; Benjamin Stock, City Attorney/District Legal Counsel; Tracy Avelar, Police Chief; Andrew Brozyna, Public Works Director; Diane Pitman, Administrative Services Director; Waqas Hassan, Assistant Finance Director; Mark Lee, Police Lieutenant; Frank Fanara, Parks Manager; Garrett Gotthardt, Parks Supervisor; Colleen Gotthardt, Recreation Coordinator; Rob Lasky, IT Manager; Katherine Mendoza, Deputy City Clerk; Shuli Chen, Video Technician; and Priscilla Schaus, Communications Director/City Clerk/District Secretary.

**SPECIAL PRESENTATIONS**

**RECOGNIZING FOSTER CITY LITTLE LEAGUE ALL-STARS 2024: JUNIORS, 12'S ALL-STARS, 11'S ALL-STARS, AND MINORS SUPER BOWL.**

Sanjay Gahani gave a presentation recognizing the Foster City Little League All-Stars: Juniors, 12's All-Stars, 11's All-Stars, and Minors Super Bowl teams.

## PROCLAMATION RECOGNIZING AND OBSERVING JUNETEENTH.

Mayor Sullivan presented the proclamation recognizing and observing Juneteenth to Alexis Lewis and Mary Allen Davis, representing the Foster City Association of Black Residents, National Association for the Advancement of Colored People (NAACP), and Island United Church.

## PROCLAMATION DECLARING THE WEEK OF JUNE 16-22, 2024 AS “NATIONAL MOSQUITO CONTROL AWARENESS WEEK.”

Vice Mayor Jimenez presented the proclamation declaring the week of June 16-22, 2024 as “National Mosquito Control Awareness Week” to Paul Norton and Rachel Curtis-Robles, representing the San Mateo County Mosquito and Vector Control District.

## PROCLAMATION DECLARING THE MONTH OF JULY AS “PARKS AND RECREATION MONTH.”

Councilmember Froomin presented the proclamation declaring the month of July as “Parks and Recreation Month” to Parks Supervisor Garrett Gotthardt and Recreation Coordinator Colleen Gotthardt.

## **PUBLIC**

Auros Harman addressed the City Council via email regarding district elections.

## **CONSENT CALENDAR**

Motion by Councilmember/Director Froomin, seconded by Councilmember/Director Hindi, 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 Minutes of June 3, 2024;
2. City Ordinance No. 680, “An Uncodified Ordinance of the City of Foster City Establishing New Fees for Sidewalk Vending Permit and Fines, Non-Resident Park Rental Fees, and Revising the Existing Park Cancellation Fee and Finding the Ordinance Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline Section 15061(b)(3) (First Reading on June 3, 2024);”
3. City Resolution No. 2024-61, “A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Sign a School Crossing Guard Agreement with the San Mateo–Foster City School District for the 2024-2025 School Year;”
4. City Resolution No. 2024-62, “A Resolution of the City Council of the City of Foster City Adopting an Updated Investment Policy Dated June 17, 2024;”

5. EMID Resolution No. 3763, "A Resolution of the Board of Directors of the Estero Municipal Improvement District (District) Adopting an Updated Investment Policy Dated June 17, 2024;"
6. EMID Resolution No. 3764, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Awarding an Agreement to Erler & Kalinowski, Inc., in an Amount Not-to-exceed \$200,000, to Provide Project Management Assistance for the Wastewater Treatment Plant Master Plan Improvements Project (CIP 455-652) (Clean Water Program) CEQA Status: Project Exempt Under the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15061(B)(3);" and
7. Approval to Cancel the July 1, 2024 Regular Meeting of the City Council/Board of Directors of the City of Foster City/Estero Municipal Improvement District.

### **ITEMS PULLED FROM CONSENT CALENDAR**

AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH OPENGOV INC. IN AN AMOUNT NOT TO EXCEED \$272,386.42 FOR A 3-YEAR SUBSCRIPTION TO THE CARTEGRAPH ASSET MANAGEMENT SOFTWARE. CITY RESOLUTION NO. 2024-63.

APPROVE AN AMENDMENT TO THE JUNE 2022 AGREEMENT WITH GRANICUS, LLC TO RENEW THE CITY'S SUBSCRIPTION FOR THE PRIMEGOV AGENDA AND MEETING VIDEO MANAGEMENT SOFTWARE THROUGH JUNE 14, 2025 IN AN AMOUNT NOT TO EXCEED \$26,433.55. CITY RESOLUTION NO. 2024-64.

Without objection from the City Council, Mayor Sullivan removed these items from the Consent Calendar at the request of Councilmember Kiesel.

IT Manager Lasky presented the staff report.

Discussion ensued.

Motion by Councilmember Kiesel, seconded by Mayor Sullivan, and carried unanimously, 5-0-0, adopting City Resolution No. 2024-63, "A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Execute an Agreement with Opengov Inc. in an Amount Not to Exceed \$272,386.42 for a 3-Year Subscription to the Cartegraph Asset Management Software," and City Resolution No. 2024-64, "A Resolution of the City Council of the City of Foster City Approving an Amendment to the June 2022 Agreement With Granicus, LLC to Renew the City's Subscription for the Primegov Agenda and Meeting Video Management Software Through June 14, 2025 in an Amount Not to Exceed \$26,433.55, and Authorizing the City Manager to Sign the Current and Future Renewal Amendments to the Original Agreement."

AUTHORIZE A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2024-2025 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE

PROJECT FUNDING AND FINDING THIS RESOLUTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GUIDELINES SECTION 15378 (B). CITY RESOLUTION NO. 2024-65.

Without objection from the City Council, Mayor Sullivan removed this item from the Consent Calendar.

Public Works Director Brozyna presented the staff report.

Discussion ensued.

Motion by Mayor Sullivan, seconded by Councilmember Hindi, and carried unanimously, 5-0-0, adopting City Resolution No. 2024-65, "A Resolution of the City Council of the City of Foster City Authorizing a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2024-2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding and Finding This Resolution Exempt from the California Environmental Quality Act (CEQA) Pursuant to Guidelines Section 15378 (B)."

## **REPORTS**

RECREATION CENTER FUNDING DECISIONS INCLUDING FEASIBILITY OF A BOND MEASURE FOR THE NOVEMBER 5, 2024 GENERAL ELECTION TO FUND THE RECREATION CENTER REBUILD PROJECT (CIP 301-678). MINUTE ORDER NO. 1980.

Acting City Manager Subhashini presented the staff report.

Jane Lim addressed the City Council via written letter.

Karen Epstein and Marian Chapin addressed the City Council in person.

Evan Adams and Ajay Godbole addressed the City Council via teleconference.

Discussion ensued.

Motion by Councilmember Hindi, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, adopting Minute Order No. 1980, receiving and accepting the report and directing staff to schedule a Study Session as soon as possible to discuss and consider all options to bridge the City's structural deficit gap and to maintain healthy General Fund reserves.

RECESS. Meeting recessed 8:38 p.m. and reconvened at 8:44 p.m.

## **RESOLUTIONS FOR ADOPTION**

APPROVE THE FISCAL YEAR 2024-25 FINAL CITY/DISTRICT BUDGET. CITY RESOLUTION NO. 2024-66. EMID RESOLUTION NO. 3765.

Assistant Finance Director Hassan presented the staff report.  
Discussion ensued.

Motion by Mayor/President Sullivan, seconded by Councilmember/Director Hindi, and carried, 3-2-0, Vice Mayor/Vice President Jimenez and Councilmember/Director Kiesel voted “no,” adopting City Resolution No. 2024-66 and EMID Resolution No. 3765, “A Resolution of the City Council of the City of Foster City and Board of Directors of the Estero Municipal Improvement District Approving the Fiscal Year 2024-25 District Budget.”

ADOPT A POLICY FOR REQUESTING TO ADD ITEMS TO A FUTURE AGENDA. CITY RESOLUTION NO. 2024-67. EMID RESOLUTION NO. 3766.

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

Discussion ensued.

Motion by Councilmember/Director Hindi, seconded by Mayor/President Sullivan, and failed by roll call vote, 3-2-0, Vice Mayor/Vice President Jimenez, Councilmember/Director Froomin, and Councilmember/Director Kiesel voted “no,” to adopt City Resolution No. 2024-67 and EMID Resolution No. 3766, “A Resolution of the City Council of the City of Foster City and Board of Directors of the Estero Municipal Improvement District Adopting a Policy for Requesting to Add Items to a Future Agenda.”

Discussion ensued.

Motion by Councilmember/Director Froomin, seconded by Councilmember/Director Hindi, and carried by roll call vote, 4-1-0, Councilmember/Director Kiesel voted “no,” adopting City Resolution No. 2024-67 and EMID Resolution No. 3766, “A Resolution of the City Council of the City of Foster City and Board of Directors of the Estero Municipal Improvement District Adopting a Policy for Requesting to Add Items to a Future Agenda” with the amendment to item 3 of both resolutions, changing the policy from requiring the support of only one other Councilmember/Board Member in addition to the requesting Councilmember/Board Member to agendize an item, to requiring the support of at least two (2) other Councilmembers/Board Members.

## **COMMUNICATIONS**

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

City/District Warrants of Demands were Processed and Issued on May 29, 2024.

## **CITY/DISTRICT MANAGER REPORTS, COUNCIL/BOARD STATEMENTS AND**

## **REQUESTS, AND COUNCIL LIAISON REPORTS**

Acting City/District Manager Subhashini stated that the July 1 regular City Council meeting is cancelled and the next meeting will be held on July 15.

Councilmember/Director Froomin attended the Rethink Waste, formerly known as South Bayside Waste Management Authority (SBWMA), Finance Committee meeting on June 11, where they discussed a ten-year strategic plan. He requested to agendaize the consideration of no longer accepting public comments via teleconference and received the support from Mayor/President Sullivan and Vice Mayor/Vice President Jimenez.

Councilmember/Director Kiesel stated that he attended the San Mateo County Library Joint Powers Authority Governing Board meeting on June 17, where they adopted their fiscal year 2024-2025 budget.

Councilmember/Director Hindi stated he attended the San Francisco Airport Community Roundtable meeting on June 5, where they received a presentation from NASA representatives on supersonic aircraft.

Vice Mayor/Vice President Jimenez stated she attended the City/County Association of Governments of San Mateo County (C/CAG) Board meeting on June 13, and reported they had a discussion on the San Mateo Countywide Automated Vehicle Strategic Plan. On June 14, she attended the San Mateo-Foster City School District Partners Luncheon.

Mayor/President Sullivan stated that on June 5, he attended the annual Badge Pinning Ceremony for the Foster City Police Department and met with a representative from Gilead Sciences to discuss impact fees and the upcoming Business License Tax. On June 15, he joined the Foster City Lions Club to serve lunch to veterans in Palo Alto, and later attended the Juneteenth Celebration event hosted by the Foster City Association of Black Residents (FCABR) at the Recreation Center.

## **CLOSED SESSION**

Mayor/President Sullivan recessed the meeting into Closed Session for:

1. Conference With Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Section 54956.9: (Two potential cases)
2. Public Employee Performance Evaluation (Government Code 54957)  
Title: City Manager
3. Report Out from Closed Session

Meeting recessed into Closed Session at 9:24 p.m. and reconvened at 10:10 p.m.

City Attorney/District Legal Counsel Stock reported that no action was taken in Closed Session.

## **ADJOURNMENT**

Hearing no objection from the City Council/EMID Board, Mayor/President Sullivan adjourned the meeting. Meeting adjourned at 10:10 p.m.