

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

REGULAR MEETING OF JANUARY 16, 2024

MINUTES

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of January 16, 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 Sullivan.

This meeting was held as a hybrid meeting.

ROLL CALL

The Communications Director/City Clerk/Recording 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: Stefan Chatwin, City/District Manager; Denise Bazzano, Assistant City Attorney/District Legal Counsel; Marlene Subhashini, Assistant City/District Manager; Sofia Mangalam, Community Development Director; Edmund Suen, Finance Director; Tracy Avelar, Police Chief; Diane Pitman, Administrative Services Director; Derek Schweigart, Parks and Recreation Director; Rob Lasky, IT Manager; Tiffany Oren, Recreation Manager; Nori Jabba, Housing Coordinator; Katherine Mendoza, Deputy City Clerk; Shuli Chen, Video Technician; and Communications Director/City Clerk, Priscilla Schaus.

CONSENT CALENDAR

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

City/EMID Consent Calendar

1. City/EMID Regular Meeting Minutes of December 18, 2023;
2. City Ordinance No. 673, "An Ordinance of the City of Foster City Amending Title 17, "Zoning" Adding a New Chapter 17.96 Multifamily and Residential Mixed Use Objective Design and Development Standards and Finding That the Proposed

Amendments to Title 17 Are Exempt Under California Environmental Quality Act (CEQA) Guidelines Section 15061(B)(3) - RZ2021-0001 (First Reading December 18, 2023);”

3. City Ordinance No. 674, “An Ordinance of the City of Foster City Amending Title 17, “Zoning” Making Revisions to Various Chapters Including 17.12 R-1 Single Family Residence District; 17.04 Definitions; 17.14 R-2 Two Family Residence District; 17.16 R-T Townhouse Residence District; 17.18 R-3 Medium Density Multiple-Family Residence District; 17.20 R-4 High Density Multiple-Family Residence District; 17.26, C-2 General Business District; 17.28 C-M Commercial Mix District; 17.36 PD Planned Development Combining District; 17.58 Architectural Control and Supervision; and 17.62 Off-Street Parking Regulations and Finding That the Proposed Amendments to Title 17 Are Exempt Under California Environmental Quality Act (CEQA) Guidelines Section 15061(B)(3) - RZ2021-0001 (First Reading December 18, 2023);”
4. City Resolution No. 2024-1, “A Resolution of the City Council of the City of Foster City Approving and Adopting the Amended Fiscal Year 2023-2024 Pay Plan Effective January 1, 2024;” and
5. EMID Resolution No. 3753, “A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving and Adopting the Amended Fiscal Year 2023-2024 Pay Plan Effective January 1, 2024.”

ITEMS REMOVED FROM CONSENT CALENDAR

APPLICATION PACKAGE TO SAN MATEO COUNTY FOR GRANT AND/OR LOANS THROUGH THE SAN MATEO COUNTY FY 2024-25 HOUSING ASSISTANCE LOAN AND GRANT PROGRAM, INCLUDING COMMITMENT OF ANY NECESSARY MATCHING FUNDS UP TO \$76,800 IN STAFF COSTS AND \$135,000 IN AFFORDABLE HOUSING FUNDS. CITY RESOLUTION NO. 2024-2.

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

Discussion ensued.

Motion by Councilmember Froomin, seconded by Mayor Sullivan, and carried unanimously, 5-0-0, adopting City Resolution No. 2024-2, “A Resolution of the City Council of the City of Foster City Authorizing the City Manager to Apply for and Submit the Application Package to San Mateo County for Grant and/or Loans Through the San Mateo County FY 2024-25 Housing Assistance Loan and Grant Program, Including Commitment of Any Necessary Matching Funds Up to \$76,800 in Staff Costs and \$135,000 in Affordable Housing Funds, and Find the Project Exempt From the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline Section 15061(B)(3).”

SECOND AMENDMENT TO THE AGREEMENT BETWEEN CITY OF FOSTER CITY AND FOSTER CITY VILLAGE, INC. EXTENDING THE TERM FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024, WITH ADDITIONAL OPTIONAL EXTENSIONS

THROUGH JUNE 30, 2026, FOR THE USE OF CITY-OWNED OFFICE AND MEETING/CLASSROOM SPACE, I.T. SERVICES AND EQUIPMENT AT THE COMMUNITY CENTER.

Without objection from the City Council/EMID Board of Directors, Mayor/President Sullivan removed this item from the Consent Calendar at the request of Councilmember/Director Froomin.

Discussion ensued.

Motion by Councilmember/Director Froomin, seconded by Vice Mayor/Vice President Jimenez, and carried unanimously, 5-0-0, continuing the Second Amendment to the Agreement Between City of Foster City and Foster City Village, Inc. to the February 5 City Council meeting and directing staff to include a provision specifying that the City Manager has authority to extend the term of the agreement.

NEW BUSINESS

FOSTER CITY COUNCIL LIAISONS LIST DATED JANUARY 16, 2024. MINUTE ORDER NO. 1955.

Evan Adams addressed the City Council via email.

Scott Mason addressed the City Council via teleconference.

Discussion ensued.

Motion by Vice Mayor Jimenez, and the maker amending the motion, seconded by Councilmember Froomin, and carried, 3-2-0, Councilmember Hindi and Mayor Sullivan voted “no”, adopting Minute Order No. 1955, approving the Foster City Council Liaisons List dated January 16, 2024, with the following amendments: City/County Association of Governments (C/CAG) – Jimenez/Hindi, Planning Commission – Kiesel, Library Joint Powers Authority – Kiesel/Sullivan, San Mateo High School Union School District – Jimenez/Kiesel, and South Bayside Waste Management Authority – Froomin/Kiesel.

RECREATION CENTER REBUILD PROJECT (CIP 301-678) – PROJECT BUDGET UPDATE. MINUTE ORDER NO. 1956.

Parks and Recreation Director Schweigart presented the staff report.

Doris Duncan and Evan Adams addressed the City Council via teleconference.

Discussion ensued.

Motion by Councilmember Froomin, seconded by Councilmember Hindi, and carried unanimously, 5-0-0, adopting Minute Order No. 1956, to receive and accept the Project

Budget Update for the Recreation Center Rebuild Project (CIP 301-678), and provide policy direction to:

1. Designate and appropriate the grant funds received from Gilead Foundation in the amount of \$500,000 to the project budget to help fund the Project's LEED Silver Certification and the Project's environmentally sustainability goals;
2. Proceed with Option 3, eliminate the Bocce Court Expansion project scope and budget from the Project (CIP 301-678) reducing the Project shortfall by \$1,009,000 and appropriate the funds from (CIP 301-655) to the RCRP/Project further reducing the Project shortfall by an additional \$895,435;
3. Authorize the release of \$5,000,000 from the remaining Levee project funds available in the Levee Protection Planning and Improvement Project (CIP 327-657) and appropriate it to the Recreation Center Rebuild Project (CIP 301-678);
4. Authorize the appropriation of the new park impact fees which are anticipated from the new Gilead building at 331 Lakeside Drive in the amount of \$594,000 to the Project (CIP 301-678);
5. Withhold from authorizing the deferral of the Sea Cloud Maintenance Shed project (CIP 301-714) which is partially funded this fiscal year (\$300,000) for design with construction planned in FY 2024-2025 when the full funding is anticipated in the amount of \$2,300,000;
6. Authorize eliminating the East Hillsdale and Foster City Boulevard median refurbishment project and appropriate the funding in the amount of \$500,000 to the Project (CIP 301-678);
7. Authorize eliminating the Amphitheater Shade Structure project with the intent for it to coincide with the opening of the new Recreation Center and appropriate the amount of \$1,000,000 to the Project (CIP 301-678); and
8. Proceed with Option 1, take no action to use any funds from the Capital Asset Acquisition and Replacement Fund (CAAR Fund 326).

REPORTS

UPDATE ON THE CITY OF FOSTER CITY'S AGE-FRIENDLY CITY INITIATIVE THREE (3) YEAR ACTION PLAN. MINUTE ORDER NO. 1957.

Recreation Manager Oren presented the staff report.

Discussion ensued.

Motion by Councilmember Hindi, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, adopting Minute Order No. 1957, to receive and accept the Update on the City of Foster City's Age-Friendly City Initiative Three (3) Year Action Plan.

ORDINANCES FOR INTRODUCTION

REPEALING AND REPLACING CHAPTER 6.04 (ANIMAL CONTROL) OF TITLE 6 OF THE FOSTER CITY MUNICIPAL CODE TO CLARIFY EXISTING DEFINITIONS, ENACT ADDITIONAL REQUIREMENTS FOR ANIMAL CONTROL, AND REVISE ANIMAL

CONTROL SERVICE FEES; AND FIND INTRODUCTION OF ORDINANCE EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3) (GENERAL RULE EXEMPTION).

Assistant City Attorney Bazzano presented the staff report.

Discussion ensued.

Motion by Councilmember Froomin, seconded by Vice Mayor Jimenez, and carried unanimously, by roll call vote, 5-0-0, to introduce the ordinance by title and waive further reading of, “An Ordinance of the City of Foster City Repealing and Replacing Chapter 6.04 (Animal Control) of Title 6 of the Foster City Municipal Code to Clarify Existing Definitions, Enact Additional Requirements for Animal Control, and Revise Animal Control Service Fees; and Find Introduction of Ordinance Exempt from Review Under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule Exemption)”, and to insert Section 6.04.070, subsection (H) of the current Foster City Municipal Code into Section 6.04.060 of the proposed Ordinance.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

City/District Warrants of Demands were Processed and Issued on December 14, 2023, December 15, 2023, December 27, 2023, January 4, 2024, and January 5, 2024, and ACH were processed on January 5, 2024.

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

Councilmember/Director Kiesel stated he attended the Celebration of Life event for former San Mateo County Sheriff and Supervisor Don Horsley on January 13.

Councilmember/Director Hindi stated he attended the Peninsula Clean Energy Board meeting on December 21. He reported that there is a \$68 million surplus that Peninsula Clean Energy is planning to reinvest back into the community. On January 10, he attended the Citizens Sustainability Advisory Committee (CSAC) meeting, where they discussed the Climate Action Plan and will be working with staff to develop their Five-Year City Implementation Plan that will be presented to the City Council at the February 20 City Council meeting.

Vice Mayor/Vice President Jimenez reported that the Youth Advisory Committee held a Winter Philanthropy event on January 5 and worked with Foster City Village and Second Harvest to distribute food.

Mayor/President Sullivan stated he attended the City/County Association of Governments (C/CAG) Congestion Management and Environmental Quality Committee Board meeting

on November 27. On January 12, he attended the San Mateo County Associations of Realtors (SAMCAR) Installation of Officers and Directors event.

ADJOURNMENT

Hearing no objection from the City Council/EMID Board, Mayor/President Sullivan adjourned the meeting. Meeting adjourned at 9:34 p.m.