

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

**REGULAR MEETING OF AUGUST 7, 2023**

**MINUTES**

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

The Regular Meeting of August 7, 2023 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 Froomin.

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 Sam Hindi, Stacy Jimenez, Art Kiesel, Patrick Sullivan, and Mayor/President Jon Froomin.

**ABSENT:** None.

**STAFF PRESENT:** Stefan Chatwin, City/District Manager, Denise Bazzano, Assistant City Attorney/District Legal Counsel; Marlene Subhashini, Assistant City Manager; Derek Schweigart, Parks and Recreation Director; Edmund Suen, Finance Director; Diane Pitman, Interim Human Resources Director; Sofia Mangalam, Community Development Director; Kent Thrasher, Fire Chief, Robert Marshall, Deputy Fire Chief; Cory Call, Police Captain; Rob Lasky, IT Manager; Jim Yolke, Emergency Services Manager; James Atkins, Senior Planner; Katherine Mendoza, Deputy City Clerk; Shuli Chen, Video Technician; and Priscilla Schaus, Communications Director/City Clerk/District Secretary.

**SPECIAL PRESENTATIONS**

**PRESENTATION FROM THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT REGARDING CURRENT FIRE DEPARTMENT ACTIVITIES.**

Fire Chief Thrasher and Deputy Chief Marshall presented on the San Mateo Consolidated Fire Department's current activities.

**PUBLIC**

The following people addressed the City Council in person:

1. David Saito regarding the nonprofit Foster City Sister City Association;
2. Derrick Chua regarding a \$2,000 donation from the Foster City Tennis Club;
3. Ron Visconti regarding the nonprofit Phase 2 Careers;
4. Terry Nagel regarding the nonprofit Sustainable San Mateo County;
5. Sonja Tappan regarding the nonprofit San Mateo Foster City Education Foundation; and
6. Latrice Taylor regarding the nonprofit Samaritan House.

The following people addressed the City Council via teleconference:

1. Alyssa Wieting regarding the nonprofit CORA (Community Overcoming Relationship Abuse); and
2. Pablo regarding the bicycle lane on Shell Blvd; and
3. Phoebe Venkat expressing support for the nonprofit CORA (Community Overcoming Relationship Abuse).

## **CONSENT CALENDAR**

Motion by Councilmember/Director Kiesel, seconded by Vice Mayor/Vice President Sullivan, and carried unanimously, 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 July 17, 2023; and
2. Minute Order No. 1927, "Approving a Letter to the Honorable Nancy L. Fineman Judge of the Superior Court in Response to the San Mateo County Civil Grand Jury Report, Dated June 12, 2023, Entitled "Accessory Dwelling Units: Affordable Housing's Panacea or Prevarication?" and find approval of the response exempt from review pursuant to the California Environmental Quality Act (CEQA) Guidelines sections 15061(b)(3)."

## **REPORTS**

RECREATION CENTER REBUILD PROJECT (CIP 301-678) - UPDATE ON SCHEMATIC DESIGN PHASE. MINUTE ORDER NO.1928.

Parks and Recreation Director Schweigart presented the staff report and introduced Dawn Merkes, representing Group 4 Architecture.

Evan Adams addressed the City Council via email.

Fred Baer addressed the City Council in person.

The following addressed the City Council via teleconference:

1. Susan Lessin; and

2. Bart Pantoja.

Discussion ensued.

Motion by Vice Mayor Sullivan, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, adopting Minute Order No. 1928, to receive and accept the Recreation Center Rebuild Project (CIP 301-678) - Update on Schematic Design Phase.

CONSIDERATION OF SB 532 (WEINER) SAN FRANCISCO BAY AREA TOLL BRIDGES: TOLLS: TRANSIT OPERATING EXPENSES. MINUTE ORDER NO. 1929.

Assistant City Manager Subhashini presented the staff report.

Pablo addressed the City Council via teleconference.

Discussion ensued.

Motion by Councilmember Hindi, seconded by Councilmember Jimenez, and carried unanimously by roll call vote, 5-0-0, adopting Minute Order No. 1929, providing policy direction to proceed with a letter of opposition to SB 532.

## **ORDINANCES FOR INTRODUCTION**

CREATING CHAPTER 2.56 "MUNICIPAL ELECTIONS," AND ADDING SECTION 2.56.030 "ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS" TO CHAPTER 2.56; AND AMENDING SECTIONS 2.08.380 "TERM LIMITS" AND 2.08.390 "GENERAL MUNICIPAL ELECTIONS DESIGNATED" TO REMOVE THEM FROM CHAPTER 2.08 "CITY COUNCIL" AND RELOCATING THEM TO SECTIONS 2.56.010 AND 2.56.020 OF CHAPTER 2.56 WITHIN TITLE 2 "ADMINISTRATION AND PERSONNEL" OF THE FOSTER CITY MUNICIPAL CODE.

Communications Director/City Clerk Schaus presented the staff report.

Discussion ensued.

Motion by Councilmember Hindi, seconded by Vice Mayor Sullivan, 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 Creating Chapter 2.56 "Municipal Elections," and Adding Section 2.56.030 "Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements" to Chapter 2.56; and Amending Sections 2.08.380 "Term Limits" and 2.08.390 "General Municipal Elections Designated" to Remove Them From Chapter 2.08 "City Council" and Relocating Them to Sections 2.56.010 and 2.56.020 of Chapter 2.56 within Title 2 "Administration and Personnel" of the Foster City Municipal Code."

REPEALING AND REPLACING CHAPTER 1.12, "PROCEDURE AND LIMITATIONS PERIOD FOR FILING CLAIMS" OF THE FOSTER CITY MUNICIPAL CODE TO REVISE THE CLAIM PRESENTATION TIMELINE AND MAKE EDITS TO CONFORM TO THE GOVERNMENT CLAIMS ACT AND DELEGATE AUTHORITY TO THE CITY MANAGER TO REVIEW, REJECT OR SETTLE CERTAIN CLAIMS.

Assistant City Attorney Bazzano presented the staff report.

Discussion ensued.

Motion by Councilmember Jimenez, seconded by Councilmember Hindi, 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 1.12, "Procedure and Limitations Period for Filing Claims" of the Foster City Municipal Code to Revise the Claim Presentation Timeline and Make Edits to Conform to the Government Claims Act and Delegate Authority to the City Manager to Review, Reject or Settle Certain Claims."

## **RESOLUTIONS FOR ADOPTION**

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH WILDLIFE INNOVATIONS INC. FOR EXPANDED SCOPE OF WORK FOR DEVELOPMENT OF AN INTEGRATED CANADA GOOSE POPULATION MANAGEMENT PLAN INCLUDING ENVIRONMENTAL REVIEW TO ALLOW ADDITIONAL DATA COLLECTION AND ACTIVITIES AND REVISE THE SCOPE OF SERVICES TO SPECIFY ONLY NON-LETHAL TECHNIQUES FOR POPULATION AND HABITAT MANAGEMENT IN THE PLAN FOR A TOTAL AMOUNT NOT TO EXCEED \$171,005; AUTHORIZING AN ADDITIONAL APPROPRIATION OF \$122,345; AND AUTHORIZING A CONTINGENCY IN THE AMOUNT OF \$25,652. CITY RESOLUTION NO. 2023-81.

Parks and Recreation Director Schweigart presented the staff report.

The following addressed the City Council via teleconference:

1. Shareef Elmakawi; and
2. Susan Lessin.

Discussion ensued.

Motion by Mayor Froomin, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, adopting City Resolution No. 2023-83, "A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Execute a First Amendment to Professional Services Agreement with Wildlife Innovations Inc. For Expanded Scope of Work for Development of an Integrated Canada Goose Population Management Plan Including Environmental Review to Allow Additional Data Collection and Activities and Revise the Scope of Services to Specify Only Non-Lethal Techniques for Population and Habitat Management in the Plan for a Total Amount Not to Exceed \$171,005; Authorizing an

Additional Appropriation of \$122,345; and Authorizing a Contingency in the Amount of \$25,652; and Authorizing the City Manager to Execute Any Contract Amendments Within the Contingency Amount.” Councilmember Sullivan requested that it be reflected in the minutes that he approved of the contract amendment but felt that a new Request For Proposals should have taken place.

## **COMMUNICATIONS**

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

City/District Warrants of Demands were Processed and Issued on July 13, 2023.

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

City/District Manager Chatwin introduced Interim Human Resources Director Diane Pitman.

Councilmember/Director Kiesel stated that on July 27 he attended the Traffic Review Committee meeting. On August 1, he attended the Parks and Recreation Committee meeting where they discussed the Master Plan for Leo J. Ryan Park Boardwalk was discussed and Edgewater Marine, LLC provided information on boat rental concession.

Councilmember/Director Jimenez stated on August 1, she met with City Manager Chatwin, Police Chief Avelar, San Mateo-Foster City School District Superintendent Diego Ochoa, and School Board members Shara Watkins and Allison Proctor to discuss safety issues as students return to school. She encouraged drivers to be aware of students walking or biking and for parents to discuss road rules with students that bike. On August 5, she attended a goose clean up event at Leo J. Ryan Park and thanked the community members who participated. On August 7, she attended the memorial service for Michael Ramsey of the San Mateo Consolidated Fire Department.

Councilmember/Director Hindi stated on July 28, he attended the Council of Cities meeting in East Palo Alto. On July 29, he met with the San Mateo County District 2 Supervisor Noelia Corzo at Penelope’s Coffee. He also invited the public to attend the Palestinian Culture Day on September 9 at Leo J. Ryan Park starting at 11 a.m.

Vice Mayor/Vice President Sullivan stated that on July 20, he attended the Planning Commission meeting. He expressed his condolences to the family of Michael Ramsey of the San Mateo Consolidated Fire Department.

Mayor/President Froomin encouraged staff to consider artwork that reflects the Foster City community displayed at City Hall or the Recreation Center. On July 28, he attended the Council of Cities meeting in East Palo Alto. On August 1, he attended the National Night Out event at Leo J. Ryan Park hosted by the Foster City Police Department and supporting community partnerships. On August 2, he filmed Mayoral Minute episodes

with the Communications team. On August 3, he met with the owner of Crowne Plaza and the Marriot General Manager about the San Francisco Peninsula Tourism Marketing District. On August 5, he assisted with the Sarmatian House Back to School Drive 2023, attended the San Mateo County annual Disaster Preparedness Day at the San Mateo Event Center, attended the geese clean up at Leo J. Ryan Park, and assisted with the Park and Recreation Department's Family Overnighter. On August 7, he attended the memorial service for Michael Ramsey of the San Mateo Consolidated Fire Department.

## **ADJOURNMENT**

Hearing no objection from the City Council/EMID Board, Mayor/President Froomin adjourned the meeting. Meeting adjourned at 9:25 p.m.