

TUESDAY, MARCH 13, 2001

A regular meeting of the Council of the City of Burbank was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 5:13 p.m. by Mr. Kramer, Vice Mayor.

CLOSED SESSION

Present- - - - Council Members Kramer, Laurell, and Murphy.
Absent - - - - Council Members Golonski and Wiggins.
Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Sarquiz, City Clerk.

Oral Communications Vice Mayor Kramer called for oral communications on Closed Session matters at this time.

Citizen Comment Appearing to comment was Marie Paino, asking the Council to consider a second elevator for the City Hall building.

5:15 P.M. Recess The Council recessed at this time to the City Attorney Conference Room to hold a Closed Session on the following:

- a. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: In the matter of the application of Burbank-Glendale-Pasadena Airport Authority – Administrative (Variance) Hearing conducted by Cal Trans.
Case No.: OAH No. L-9701269
Brief description and nature of case: Administrative review of Airport noise variance standards.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 2
- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 3
- d. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: United States v. Lockheed
Case No.: CV 91-4527 MRP (TX)
Brief description and nature of case: City’s takeover of operation of Burbank Operable Unit per Consent Decree.

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- e. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: City of Burbank v. Ford Motor Credit
Case No.: 00-08394-LGB (CTx)
Brief description and nature of case: Electrical Service
billing unpaid.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:39 p.m. by Mr. Kramer, Vice Mayor.

Invocation The invocation was given by Pastor Dr. Jerry Jones, Burbank Community Church.

Flag Salute The pledge of allegiance to the flag was led by Police Chief Hoefel.

ROLL CALL

Present- - - - Council Members Golonski, Kramer, Laurell, and Murphy.
Absent - - - - Council Member Wiggins.
Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Sarquiz, City Clerk.

301-1 Civic Pride "Making a Difference" Volunteers Vice Mayor Kramer and Ellie Meyer, Civic Pride Committee Chair, and Civic Pride Committee Members Susan Bowers, Heather Bodley and Shelley Davies, presented certificates of recognition to the following Make a Difference Day Food Drive Volunteers: Woodbury University; Elks Club; National Charity League; Magnolia Park Optimist Club; Zonta Club of Burbank; Kiwanis Club for Fun; Church of Religious Science; and, Burbank Sunrise Rotary.

6:50 P.M. Hearing 500 Building Security Ordinance Vice Mayor Kramer stated that "this is the time and place for the hearing on amendments to the Burbank Municipal Code relating to Building Security."

Notice Given The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff
Report

Mr. Cheng, Building Official, reported on the request for City Council approval of an amendment to Article 6 of Chapter 7 of the Burbank Municipal Code (BMC), the existing security ordinance, which has been in existence since 1987 and provides nominal levels of resistance to unlawful entry through minimum construction standards for residential and commercial structures. He noted that the amendments were being recommended at this time to remove outdated and ineffectual provisions.

He explained that the Building Security Article of the BMC applies to commercial, office, factory, industrial, retail, storage, and residential uses, and specifies minimum provisions for construction, materials, locations, and testing of doors, hardware, windows, skylights, and lighting. He then said that following a review of security ordinances from six other jurisdictions, the proposed amendments are recommended to provide the following: improved safety and protection for the public by reducing the risk of unlawful entry by specifying minimum door, hardware and glazing requirements; increased physical safety by providing requirements for view portals, security mirrors and security lighting; and, additional fire life-safety protection through specific guidelines for egress and sliding glass doors and security bars in dwelling units.

Citizen
Comment

Appearing to comment were Mark Barton, stating six inches should be the minimum requirement for windows; Joel Schlossman, on concern with large structures not being required to have a public address system; Andrew Quadrini, on concern that these requirements will be passed on to the renters in the form of increased rental rates; and Dr. Theresa Karam, agreeing that large businesses such as Costco should be required to have a public address system.

Hearing
Closed

There being no further response to the Vice Mayor's invitation for oral comment, the hearing was declared closed.

Ordinance
Introduced

It was moved by Mrs. Murphy, seconded by Mr. Laurell and carried with Mr. Wiggins absent that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading, and that prior to the second reading staff be directed to look into requiring public address systems for large commercial buildings and to ensure that the Building Division and Fire Department are in agreement with the proposed changes." The ordinance was introduced and the title

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500 Building Security Ordinance	read: AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 7, ARTICLE 6, DIVISION 1 OF THE BURBANK MUNICIPAL CODE, RELATING TO BUILDING SECURITY.
Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings.
Oral Communications	Mr. Kramer called for oral communications at this time.
Citizen Comment	Appearing to comment were Candido Gonzales, requesting the Council to approve the Golf Professional Services Agreement for the DeBell Golf Course with Scott Scozzola; David Hackett, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola, on concern with the unsightliness of the gondola near the Castaway Restaurant and the north side of the 1800 block of Bel Air Drive due to littering and suggesting signs be installed and more police enforcement be performed, and stating Bethany Road needs additional street sweeping due to the Bethany Springs that flows down the street; Joe Gunn, member of the Men's Golf Club, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola; Andrew Quadri, opposing security bars on doors and windows, and on concern with people moving his trash barrels which caused his trash not to be picked up; Bob Spencer, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola; James McMahan, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola; Joel Schlossman, stating the Council should address lowering or placing a moratorium on the seven percent utility users tax from Burbank on the gas bill, on concern with pit bulls being advertised on the City's Animal Shelter Show, on concern with Council Member Golonski's stance over the years on not allowing multi-family development, and supporting a WalMart locating in Burbank; George Nelson, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola; Jim McNeal, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola; Don Elmore, on concern with staff privately aiding and abetting the Airport to obtain approval of a plan for a new terminal through the Planned Development process without any public scrutiny; Hugh Jeffries, requesting the Council to

approve the Golf Professional Services Agreement with Scott Scozzola; Mark Barton, on the oral communication process and noting the pros and cons of the Council interrupting speakers; Esther Espinoza, opposing the candidacy of Marsha Ramos noting concern that she sued the Burbank Unified School District; R. C. "Chappy" Czapiewski, on the Baca vs. Moreno Valley School District case related to free speech, stating his satisfaction that the Restore Our Airport Rights (ROAR) initiative obtained signatures from 15 percent of the registered voters, and refuting an article written about a claim filed by Howard Rothenbach against his employer; C. L. Stack, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola, stating the gondola should be cleaned up, and supporting the ROAR initiative as well as Howard Rothenbach for City Council; Mike Jayvor, requesting the Council to approve the Professional Services Agreement with Scott Scozzola; Ted McConkey, on concern with the conduct of staff at last night's Planning Board meeting, opposing the Redevelopment Agency financial support for the water main at St. Joseph Medical Center, and stating his satisfaction that the ROAR initiative will be put to a special election and cautioning the voters to not vote for people who have publicly opposed the ROAR initiative; Kevin McCarney, on concern with threats made against a Council Member's family and stating a Member's family should not be talked about in a public forum, stating people have the right to speak but it's personal choice to be negative or positive in that speech and suggesting that there be a task force established to look at decorum in the Council Chambers, and stating the City should better inform people on the usage of 911;

Howard Rothenbach, thanking the Vector Control District for helping his neighbor with a swarm of bees but noting concern that this free County service will be discontinued at the end of this year, announcing a redevelopment abuse conference on March 31 in Anaheim, and on his satisfaction that the ROAR initiative obtained 15 percent of the registered voters' signatures and thanking the ROAR volunteers; Bob Etter, opposing the Redevelopment Agency financial support of a water main for St. Joseph Medical Center, on a problem his union experienced with medical benefits, and on concern with a Council Member purchasing property from an airport expansionist; Dr. Theresa Karam, congratulating Howard Rothenbach and Ted McConkey on the success of the ROAR initiative, on the City of Los Angeles mayoral race as it relates to the support of a Palmdale airport by some of the candidates, and supporting a conflict resolution program in Burbank; David Piroli, on concern with the City encouraging spaying and neutering of animals noting the higher license fee

for non-spayed or neutered dogs only hurts the responsible pet owners, and on concern that Southwest Airlines opposed paying for emergency services incurred from their airplane crash and supporting the Council pursuing the Airline for the costs; Mike Nolan, stating the public should receive a copy of a memorandum from the City Attorney related to subject matter jurisdiction, requesting the Council to approve the Golf Professional Services Agreement with Scott Scozzola, opposing the Council using money from the Rate Stabilization Fund to pay for new power plants in Burbank but stating the public would be accepting of a loan of the funds instead, and asking for a report on the utility users tax; Celia Jakel, thanking the Council for installing a sidewalk on Lake Street and on concern with the condition of the railway and freeway underpass near Alameda Avenue; and Barbara Langford, on concern with statements made by Esther Espinoza at the podium criticizing public officials, and thanking the City for their help with problems in her neighborhood and inviting the community to attend the community meeting to be held this Thursday regarding the neighborhood.

Staff
Response

Members of the Council and staff responded to questions raised.

704
Golf Pro. at
DeBell Golf
Course

Mr. Flad, Park, Recreation and Community Services Director, reported that through a series of re-negotiated agreements, Mr. Phil Scozzola has served as the Golf Professional at the DeBell Municipal Golf Course since February 28, 1970 and recently decided to retire effective February 28, 2001.

He explained that upon the retirement announcement in October 2000, a Request for Proposal was distributed to 14 potential operators, with proposals ultimately submitted by Evergreen Alliance Golf Limited, Mr. Tim Moher and Mr. Scott Scozzola. Following the interviews and review of a financial analysis, he said the Review Committee, DeBell Greens Committee, and Park, Recreation and Community Services Board have each recommended the selection of Scott Scozzola as their choice for the Golf Professional and Operation and Management Services Agreement at DeBell Golf Course.

Mr. Flad said that staff was requesting Council direction to begin negotiating the potential "deal points" of a Golf Professional Operation Agreement with Mr. Scott Scozzola including: annual goals and objectives, performance measures, revenue and expenditure accountability, proposed capital

- improvements, program enhancements, and reporting requirements. He noted that following negotiations, staff will return to the City Council with a contract for final approval.
- Motion It was moved by Mr. Laurell, seconded by Mrs. Murphy and carried with Mr. Wiggins absent that "staff be directed to enter into negotiations with Scott Scozzola for the Golf Professional Operation and Management Services Agreement at DeBell Municipal Golf Course."
- 8:59 P.M.
Recess The Council recessed at this time. The meeting reconvened at 9:17 p.m. with all members present except Mrs. Murphy and Mr. Wiggins.
- 9:17 P.M.
Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 9:38 p.m. with Mrs. Murphy and Mr. Wiggins absent.
- 1504
Water Quality
Update Mr. Lantz, Assistant General Manager, Burbank Water and Power (BWP), reported on the request from the City Council at the October 10, 2000 City Council meeting for staff to begin providing weekly updates to the Council and public on Burbank's water quality. He began by stating that the Department took over the operation of the Burbank Operable Unit from Lockheed yesterday. Next, he said that since the last Council meeting staff prepared additional information to the water blending expense analysis for not exceeding five parts per billion that was previously given to the Council. He then noted the following activities to be taken by staff: chromium and chromium 6 testing of various public buildings were taken this day and the results will be available in two weeks; and, a progress meeting with the California Department of Health Services regarding the implementation of Senate Bill 2127 will be held on April 12, 2001 in Glendale.
- The City Council received the report.
- Motion It was moved by Mr. Golonski, seconded by Mr. Laurell and carried with Mrs. Murphy and Mr. Wiggins absent that "the water quality updates be rescheduled to every other week beginning next week."
- 201-2
FY 2000-01
Work Program A report was received from Mr. Hess, Administrative Analyst, which stated that at the January 16, 2001 meeting, the City Council initiated discussion on the mid-year review of the

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for Community
Development
Dept.

Fiscal Year 2000-01 Work Program. The report recommended that the objectives be considered by department on future agendas to allow the City Council adequate opportunity to review each of the 369 objectives while continuing the remaining City business on the agenda. The report then noted that the Community Development Department Work Program items would be reviewed at this meeting.

Mrs. Georgino, Community Development Director (CDD), introduced Mr. Herrman, who discussed the following CDD Work Program objectives related to Planning: Facilitate major projects, including the Burbank Empire Center, by processing entitlements, planned developments, and development review; Process Compact Parking Spaces Zone Text Amendment (ZTA), Adult Oriented Businesses ZTA, Tree Preservation and Parking Lot Shading ZTA, Home Occupation Ordinance and Restaurant Grading Ordinance; Undertake Magnolia Park revitalization; Prepare and update of the General Plan Elements including the Housing Element, Transportation Element and the Land Use Element; Continue planning and implementation of Neighborhood Protection Plans including Victory/Buena Vista Plan, Hillside Plan and completion of Rancho Providencia Plan; and, Implement the following transportation projects: Five Points Intersection, San Fernando Connector, State Route 134 Ramps; Barham Cahuenga Corridor, Chandler Bikeway and Transportation Element.

Ms. Evans, Assistant Community Development Director/Housing and Redevelopment, discussed the following CDD Work Program objectives related to Redevelopment and Housing: City Center Project Area - Close escrow, facilitate and monitor construction for Burbank Entertainment Village; Monitor construction of hotel on former Bombay Bicycle Club site; Facilitate development of the Old Police Block; and, Develop and implement tenant inducement program to assist and attract quality tenants downtown; Golden State Project Area - Implement terms of existing Disposition and Development Agreement (DDA) for development of Media Studios North site (M. David Paul); Issue development permit for former Lockheed B-1 and Building 199 properties (Zelman); Finalize development review for former Lockheed A-1 North property; Implement development of former Lockheed 371-375 property (Trammel Crow); Coordinate the planning/reuse of former Weber Aircraft site; Complete planning/construction of Empire Avenue Beautification project for landscape medians and enhanced street improvements along Empire Avenue between Victory Place and the Airport entrance; and,

Implement the intersection improvement for signalization of Hollywood Way and Avon Street; South San Fernando Project Area – Continue to facilitate development of Agency-owned property on east side of San Fernando between Cedar and Elmwood Avenues (Lance site); Initiate and complete schematic design phase for South San Fernando Boulevard Streetscape project; Continue to encourage and monitor environmental remediation on future ITT development site; Continue to encourage and monitor environmental remediation on Opportunity Site No. 10 (Menasco site); Continue efforts to acquire property and prepare grant application for development of new park facility in South San Fernando Project Area; and, Coordinate with the Burbank Unified School District (BUSD) for the temporary relocation of the community school from BUSD administrative site to South San Fernando; West Olive Project Area – Complete the amendment for the West Olive Redevelopment Plan; Low and Moderate Housing – Implement proposed DDA with Western Security/Meta Housing for Opportunity Site No. 4; Continue collaboration with Burbank Housing Corporation to acquire and rehabilitate properties in targeted neighborhoods, such as Golden State Neighborhood and Verdugo/Lake Neighborhood; Continue marketing and monitoring the Agency's rehabilitation program; Continue to implement the MAP to provide low interest down payment loans for low-moderate income first-time buyers; and, Continue to work with United Cerebral Palsy towards development of an independent living facility for disabled persons; Economic Development – Develop and implement five-year retention and attraction strategy; and, Develop Business Assistance/Verdugo Job Center Annex in Burbank.

Mr. Cheng, Assistant Community Development Director/Building Official, discussed the following CDD Work Program objectives related to Building: Implement Tilt-Up and Reinforced Masonry Retrofit Ordinance; Update and expand Security Ordinance; Maintain a database of proposed State legislation affecting Building, Housing, Redevelopment, Planning and Transportation; Develop and implement procedures for acceptance of credit card fee payment; Implement Los Angeles Regional Uniform Code Program Standards; Continue to develop Division Operations Procedure Manual; Publish quarterly newsletter in electronic and printed formats; Develop free seminars to the design and construction professionals and general public; Develop informational brochures in electronic and printed formats; Notify general public of wood roof removal dates and wood roof restrictions; and, Follow-up on procedure to enforce tree/landscaping

requirements.

The City Council reviewed the Work Program items pertaining to the Community Development Department.

604
901
Dog License
Rates

Police Captain Bowers reported on the request from the City Council at the February 6, 2001 City Council meeting for staff to present an opportunity for the Council to consider a lower hardship rate for dog licenses for unaltered dogs, and/or an appeal process for those who feel they are entitled to a lower rate. He explained that part of the motivation for the higher license fee for unaltered dogs was to reduce pet overpopulation by reducing breeding by dogs which are intentionally or unintentionally allowed to run free. He noted that reducing the license fee for unaltered dogs would be counter to that purpose.

He discussed that, in a hardship situation, funds are available which can be authorized administratively under the current procedure to subsidize the spay/neuter cost. He said that any citizen who has a unique need for assistance with the spay or neuter of a pet, feels that the criteria have been unfairly applied, or believes he/she has been wronged in any way, always has the ability to appeal through the Animal Shelter Superintendent and/or the Captain of the Police Department Special Operations Division. He then noted that since staff believes the criteria is fairly well established, there is no need for an additional appeal process.

Motion

It was moved by Mr. Golonski, seconded by Mr. Laurell and carried with Mrs. Murphy and Mr. Wiggins absent that "the report be noted and ordered filed."

900
Southwest
Airlines Crash

Mr. Barlow reported on the request from the City Council at the February 20, 2001 City Council meeting for staff to agendize an opportunity for the City Council to discuss the issue of Southwest Airlines refusing to pay for the emergency response costs incurred by the City relative to the airline crash which occurred on March 5, 2000.

Motion

It was moved by Mr. Golonski, seconded by Mr. Laurell and carried with Mrs. Murphy and Mr. Wiggins absent that "staff be directed to place this matter on a future Closed Session

agenda.”

Motion It was moved by Mr. Laurell and seconded by Mr. Golonski that "the following items on the consent agenda be approved as recommended.”

Minutes Approved The minutes for the regular meeting of February 6, 2001 and the adjourned meeting of February 12, 2001 were approved as submitted.

204-2 Results of Primary Nominating Election held on February 27, 2001 RESOLUTION NO. 25,953:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DECLARING THE RESULTS OF THE PRIMARY NOMINATING ELECTION HELD ON FEBRUARY 27, 2001.

Adopted The consent agenda was adopted by the following vote:

Ayes: Council Members Golonski, Kramer, and Laurell.
Noes: Council Members None.
Absent: Council Members Murphy and Wiggins.

Ordinance Submitted It was moved by Mr. Laurell and seconded by Mr. Golonski that "Ordinance No. 3572 be read for the second time by title only and be passed and adopted.” The title to the following ordinance was read:

506 Lost Person/Pet Signs ORDINANCE NO. 3572:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 20-402 AND 31-1002 OF THE MUNICIPAL CODE AND ADDING SECTION 20-402.1 RELATING TO LOST PERSON/PET SIGNS IN THE PUBLIC RIGHT-OF-WAY.

Adopted The ordinance was adopted by the following vote:

Ayes: Council Members Golonski, Kramer, and Laurell.
Noes: Council Members None.
Absent: Council Members Murphy and Wiggins.

10:58 P.M. The Redevelopment Agency meeting was reconvened at this

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Reconvene time.
Redev. Agency
Meeting
Public Comment Mr. Wiggins called for the second period of oral communications at this time.

Citizen Comment
Appearing to comment were Mark Barton, on concern with racial statements made at the podium by public speakers; Joel Schlossman, asking why the Animal Shelter falls under the Police Department, opposing Agency assistance proposed to St. Joseph Medical Center for a water main replacement project, stating the City Manager be held accountable, opposing a new logo for the Burbank Water and Power Department due to related costs, and asking the Council to send a letter to Caltrans on the condition of the I-5 Freeway in Burbank; Bob Etter, asking a question about Council health benefits, and suggesting that non-resident employees be allowed to purchase the Emergency Medical Service Membership Program; Esther Espinoza, suggesting a wrestling event in Burbank, and on the racial make-up of the community; Jonathan Layne, Southwestern Dirt Exchange, company hauling dirt to the Zelman operation, expressing appreciation to the City for their help with hauling permits but noting concern with aggressive police enforcement and citing an incident this day in which a truck was pulled over for making a wide turn, and stating that more hauling will be occurring over the next few months and asking the Council to consider establishing temporary parking permits on Olive and Alameda Avenues for truck staging; and Mike Nolan, on concern with statements made by the City Manager related to the utility users tax, asking the Council to ask for a report from staff on limiting the utility users tax, and on concern with the City Manager excusing the Department Heads at 2nd oral communications.

Staff Response
Members of the Council and staff responded to questions raised.

Adjournment
There being no further business to come before the Council, the meeting was adjourned at 11:20 p.m.

Judie Sarquiz, City Clerk

APPROVED MAY 8, 2001

Mayor of the Council
of the City of Burbank