

TUESDAY, MAY 8, 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 5:00 p.m. by Mr. Kramer, Mayor.

CLOSED SESSION

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

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

Citizen Comment Appearing to comment was Mike Nolan, on concern that a letter from AMC, deleting Burbank Entertainment Village Associates, LLC. from the development entity for the Burbank AMC project, was not signed and presented to the Agency in a timely fashion, questioning the amount of money AMC has already spent on the new project, and suggesting the two empty parking lots in the Downtown near AMC should be paved for safety reasons and at AMC's expense.

5:06 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): 1
- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 1

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- d. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: Department of Toxic Substances Control v. Interstate Non-Ferrous
Case No.: CV-F-97-5016 OWW
Brief description and nature of case: Settlement of environmental litigation.

- e. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: Stella Herron v. City of Burbank
Case No.: EC 029417
Brief description and nature of case: Trip and fall in construction site.

- f. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/ Susan M. Georgino.
Property: 600 South San Fernando Boulevard.
Party With Whom Agency is Negotiating: United Cerebral Palsy.
Terms Under Negotiation: Sale of property.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:44 p.m. by Mr. Kramer, Mayor.

Invocation The invocation was given by Larry Bradfield, Elder, Little White Chapel.

Flag Salute The pledge of allegiance to the flag was led by Fire Chief Davis.

ROLL CALL

Present- - - - Council Members Golonski, Laurell, Murphy, Ramos and Kramer.

Absent - - - - Council Members None.

Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; Ms. Alvord, Assistant City Manager; and, Mrs. Sarquiz, City Clerk.

301-1 Firefighter of the Year Mayor Kramer and Fire Chief Davis presented the Firefighter of the Year award to Fire Engineer Richard Dean.

- 301-1
2002 Rose Float
Rendering
- Mike Coy, representing the Pasadena Tournament of Roses Association Parade, presented a picture of the City of Burbank's 2001 Float to Mayor Kramer. Mr. Don Hames, President of the Burbank Tournament of Roses Association, then presented the Burbank 2002 Tournament of Roses Float rendering, called "Jitterbugs."
- 301-1
Water
Awareness
Week
- Mayor Kramer presented a proclamation to Mr. Lantz, Burbank Water and Power Assistant General Manager, honoring May as Water Awareness Month.
- 301-1
Senior
Volunteers
- Mayor Kramer and Mr. Peter McGrath, Chair of the Senior Citizen Board, presented the Older American Volunteer Service Award to Dan Chamnes, Donna Farrell, Doral Eyster, Fae Golcon, Denny Grossman, Douglas Halter, and Jane Rowe. Patricia Gunn was then presented with the Los Angeles County Senior Volunteer Honoree Award for 2001.
- Reporting on
Closed Session
- Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings.
- 406
Airport Authority
Meeting of
- Airport Commissioner Ingolf Klengler reported on the items that were on the May 7, 2001 Airport Authority meeting agenda. He began by stating that following the receipt of several committee reports and a Closed Session meeting, the Authority approved the April 16, 2001 minutes, noted and filed the March 2001 Treasurer's Report, and approved a consent to assignment of lease and nonexclusive concession agreement with Trail Blazers Inc. He then briefly discussed two informational items presented to the Commission: Part 161 Study Presentation, and an update on the parking lot rates and charges. Lastly, he noted that Airport staff presented the 2001-02 Draft Budget and then presented a copy of the Draft Budget to the City Council.
- The City Council received the report.
- Oral
Communications
- Mr. Kramer called for oral communications at this time.

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Citizen
Comment

Appearing to comment were Christina Devin, junior at Burbank High School, stating she was selected by her school as Young Woman of the Year, and asking for assistance from the City in her competition in the Los Angeles Young Women of the Year event; Victor Wolfe, on his desire to remain on the Landlord Tenant Commission and noting his experience in property management stating it has helped in his service on the Commission; Esther Espinoza, on concern with discrimination in the City administration; Don Elsmore, on his past appointment by the Council to the Airport Part 150 Study Advisory Committee, on his concern that the Airport staff did not seek a response from the Federal Aviation Administration (FAA) on the Part 150 Study early in the process, and referring to a letter from Herman Bliss of the FAA related to airport noise compatibility programs being local not federal issues; Molly Hyman, stating the Supreme Court has held since 1961 that non-public forums like a Council meeting do not provide speakers with the same speaking rights as allowed in public forums, and suggesting the Council should enforce the rules and laws available right now rather than changing the oral communication process; C. L. Stack, on an editorial in the Burbank Leader regarding Marsha Ramos which said she needs to formulate her own opinions as a Council Member;

Charlie Michaels, Toluca Terrace resident, on a letter she recently presented to Dr. Theresa Karam asking her to stop referring to herself as a representative of the Toluca Terrace Woods Homeowners Association, and stating 32 other neighbors have also signed a petition noting Dr. Karam does not represent them either; Irma Loose, playing a video tape recording of statements made at a previous Council meeting regarding the Airport, and suggesting the City should have sought reimbursement from the Airport for certain legal fees; R. C. "Chappy" Czapiewski, stating the Council should seek reimbursement from the Airport for costs incurred in two of the Court of Appeals cases, opposing the selection of former Mayor Wiggins as an Airport Commissioner, and on provisions of the Brown Act; Fred Haas, stating the Council should try and have the Burbank High School band participate in the Rose Parade, and making a donation of the movie "The Wicked Wicked Ways" to the public library; Ted McConkey, asking for a status of the Airport litigation, on concern with numbers presented by the Airport related to passenger growth, on the importance of the Restore Our Airport Rights (ROAR) initiative to place a cap on airport flights, on concern with the feasibility of the AMC project and asking how they have spent \$10 million on the project already, and stating his

belief that there was an energy crisis in the State because of deregulation and opposing any proposed increase in electric rates; David Pomes, on concern with the content of speech from public speakers at oral communications noting channel 6 was a community channel that should have appropriate content, on the rights afforded in the First Amendment and the importance of not abusing those rights, and suggesting the Council consider ways to improve the oral communication process without changing the current process; Howard Rothenbach, on concern with Burbank's share of the cost for the Magnolia Power Project, asking what happens to Burbank if they use all of their Nox emissions credits by the end of this year, and on concern with the passenger numbers purported by the Airport Part 150 Study and noting the importance of ROAR as it will require caps on flights; Dr. Theresa Karam, stating her belief that she and others present valuable input to the City Council, and questioning the speech of Charlie Michaels this evening; David Piroli, stating he does not understand the action being taken on the AMC project, asking whether the agenda highlights program format was changed to not include a description of each agenda item, and supporting conservation programs particularly financial incentives to those customers that do conserve; Mike Nolan, on concern with the proposed changes to the AMC project and suggesting the Agency ask AMC to pave the empty parking lots near the theaters for use during the upcoming holiday season; Larry Applebaum, Police Commission Member, supporting the staff recommendation to select one host for the Adopt-a-Pet Show and suggesting the Council strongly consider re-appointing Mr. Kramer as host noting his contributions to animals over the years; and Mark Barton, on concern with repetitive and insulting speech and stating the Council needs to strongly enforce decorum in the Chambers, and supporting the Cusmanos for the development of the Old Police Block.

Staff
Response

Members of the Council and staff responded to questions raised.

8:53 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 9:11 p.m. with all members present.

Jt. Mtg. with
Redev. Agency
906

Mr. Solomon, Housing Development Manager, reported that on March 16, 2001, the Burbank Housing Corporation (BHC) submitted a proposal requesting the City/Agency provide

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1102
1104
Affordable Hsng.
Agmt. for 3000-
3006 Thornton

financing to acquire and rehabilitate four rental units in the Golden State Beautification Area at 3000-3006 Thornton Avenue. He said this proposed project represents a continuing collaborative effort between the City/Agency and BHC to eliminate blighting conditions in focus neighborhoods by assisting the acquisition and rehabilitation of deteriorated properties for the purpose of attaching covenants related to income, affordability, occupancy and property management, while adding to the stock of affordable housing.

He explained that the proposed property is an 8,795 square foot lot improved with a duplex comprised of a two-bedroom and a one-bedroom unit built in 1951 and a two-story apartment building built in 1948 and comprised of two one-bedroom units constructed above a four-car garage. He noted that the owner's offer is \$310,000, which is approximately three percent above the appraised value of \$300,000.

Mr. Soloman discussed that the proposed Affordable Housing Agreement (AHA) between the City, Agency, and BHC provides for financial assistance lent from the City's HOME funds and from the Agency's Tax Increment 20% Housing Set-Aside Fund, and establishes the disbursement of these funds and sets forth the requirements for the operation of the property. He noted that in addition to describing the terms of sale and subsequent rehabilitation of the property, the AHA also governs key conditions for the long-term operation of the site that run in perpetuity.

As proposed in the AHA, he said the Agency will lend BHC \$366,000 in 20% Set-Aside funds to acquire and assist in the cost of the rehabilitation of the property, and will also contribute up to \$30,000 to offset due diligence costs. He said the Agency loan is amortized over 30 years at three percent, to be repaid annually beginning April 1, 2003. He further said that the City will lend \$150,000 in HOME funds to defray rehabilitation costs. He noted that, under the terms of the City loan, payments are deferred and the loan is ultimately forgiven after 30 years if the BHC complies with the terms and conditions of the AHA.

Mr. Solomon concluded by stating that affordability and income Covenants will be recorded on the Project to ensure that the four rental units will be income and rent restricted in perpetuity. Further, he said the BHC is required to maintain the Project in accordance with all applicable local codes, rehabilitation standards, ordinances and zoning ordinances as

required by HOME regulations and at a standard of maintenance commensurate with similar housing units within Los Angeles County.

Motion It was moved by Mrs. Murphy and seconded by Mrs. Ramos that "the following resolution be passed and adopted:"

906 RESOLUTION NO. 25,994:
 1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 1104 APPROVING AN AFFORDABLE HOUSING AGREEMENT
 Affordable Hsng. BETWEEN THE CITY, THE REDEVELOPMENT AGENCY OF THE
 Agmt. with CITY OF BURBANK, AND THE BURBANK HOUSING
 Burbank Hsng. CORPORATION (3000-3006 THORNTON AVENUE).
 Authority
 (3000-3006
 Thornton)

Adopted The resolution was adopted by the following vote:

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

Redev. Reso Redevelopment Resolution No. R-1998 Approving an
 Adopted Affordable Housing Agreement between the Agency, the City of Burbank, and the Burbank Housing Corporation (3000-3006 Thornton Avenue) was adopted.

Jt. Mtg. with Mr. Solomon, Housing Development Manager, reported on the
 Redev. Agency request for the City Council and Agency to consider approval
 1702 of a First Amendment to the Disposition and Development
 1102 Agreement (DDA) with the United Cerebral Palsy/Spastic
 1108 Children's Foundation of Los Angeles and Ventura Counties
 1st Amend to (UCP) to purchase the Agency owned site at 600 South San
 DDA with the Fernando Boulevard to develop an 18-unit independent living
 United Cerebral facility for very low-income persons with disabilities. He
 Palsy noted that the DDA was approved on May 9, 2000 by the
 (600 S. San City and Agency and was drafted to competitively position
 Fernando) UCP to receive an allocation during the next Housing and
 Urban Development (HUD) funding cycle for federal Section
 811 Project Supportive Housing for Persons with Disabilities
 funds.

He explained that UCP submitted its Section 811 application on May 18, 2000 and received written confirmation on June 1, 2000 from the HUD Los Angeles Field Office Multifamily Division that the application was complete and acceptable for technical processing. However, he said that UCP was subsequently informed that the project was not selected for this round of Section 811 funding, having failed to achieve the minimum cut-off score for this round. Upon further discussions with HUD Los Angeles staff, he said that it was concluded that HUD reviewers inadvertently missed the site control documents in the UCP's application, which resulted in the project not being selected.

To ensure that UCP's claim of having site control is not clouded by virtue of the DDA not being synchronized with the timeframe for the latest round of Section 811 funding, Mr. Solomon said that the Agency and UCP have prepared the proposed First Amendment to the DDA which specifically authorizes UCP to apply for the second round of funding by revising the Schedule of Performance. He noted that the amended Schedule of Performance alters many milestones, most notably the Notification of Selection which will now be received by October 31, 2001 with HUD's firm commitment to fund the project occurring no later than February 15, 2002 and the date of closing anticipated by October 31, 2002 which provides the evidence of a required one year site control from the date of project selection as prescribed by Section 811 guidelines.

Motion

It was moved by Mr. Laurell and seconded by Mrs. Murphy that "the following resolution be passed and adopted:"

1702
1102
1108
1st Amend to
DDA with the
United Cerebral
Palsy
(600 S. San
Fernando)

RESOLUTION NO. 25,995:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK, THE CITY OF BURBANK AND UNITED CEREBRAL PALSY/SPASTIC CHILDREN'S FOUNDATION OF LOS ANGELES AND VENTURA COUNTIES.

- Adopted The resolution was adopted by the following vote:
- Ayes: Council Members Golonski, Laurell, Murphy, Ramos and Kramer.
 Noes: Council Members None.
 Absent: Council Members None.
- Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-1999 Approving the First Amendment to Disposition and Development Agreement between the Agency, the City of Burbank and United Cerebral Palsy/Spastic Children's Foundation of Los Angeles and Ventura Counties was adopted.
- 9:25 P.M. Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 9:31 p.m. with all members present.
- Motion It was moved by Mrs. Murphy and seconded by Mr. Laurell that "the following items on the consent calendar be approved as recommended."
- Minutes Approved The minutes for the regular meeting of March 13, 2001 were approved as submitted.
- 305-2
 2002 Rose
 Float Rendering A report was received from Mr. Flad, Park, Recreation and Community Services Director, which requested City Council approval of the 2002 Tournament of Roses float rendering entitled "Jitterbug." The report said that the float rendering was presented by the Burbank Tournament of Roses Association, a non-profit organization comprised of volunteers who build the City of Burbank's float for the Rose Parade. The report then noted that Burbank is one of six remaining self-built floats.
- The City Council accepted and approved the Burbank Tournament of Roses Association 2002 float rendering.

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804-3 RESOLUTION NO. 25,996:
702-2 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
916 AUTHORIZING SUBMITTAL OF A REQUEST FOR A 2000/2001
Senior 2000- BEVERAGE CONTAINER RECYCLING GRANT FROM THE
2001 Beverage STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION,
Container DIVISION OF RECYCLING, TO RECEIVE AND EXPEND FUNDS
Recycling Grant FOR THE ESTABLISHMENT OF A RECYCLING PROGRAM IN
ALL SENIOR MULTI-FAMILY HOUSING BUILDINGS IN
BURBANK, INCLUDING TWO BUILDINGS NOW IN THE
PLANNING STAGE.

904 RESOLUTION NO. 25,997:
908 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Verdugo Fire APPROVING THE VERDUGO FIRE COMMUNICATIONS
Comm. Agmt. SERVICE AGREEMENT BETWEEN THE CITIES OF GLENDALE,
With South BURBANK, AND PASADENA AND THE CITY OF SOUTH
Pasadena PASADENA.

904 RESOLUTION NO. 25,998:
908 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Verdugo Fire APPROVING THE VERDUGO FIRE COMMUNICATIONS
Comm. Agmt. SERVICE AGREEMENT BETWEEN THE CITIES OF GLENDALE,
With San Marino BURBANK, AND PASADENA AND THE CITY OF SAN MARINO.

804-3 RESOLUTION NO. 25,999:
305-3 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Federal APPROVING AN APPLICATION TO THE CALIFORNIA
Emergency DEPARTMENT OF HOUSING AND COMMUNITY
Shelter Grant DEVELOPMENT FOR FEDERAL EMERGENCY SHELTER GRANT
FUNDS.

804-3 RESOLUTION NO. 26,000:
907 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
801-2 AUTHORIZING THE APPLICATION FOR A \$24,000 GRANT
Grant for Traffic FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC
DUI Trailer SAFETY FOR THE PURCHASE OF A "DUI" TRAILER AND
AMENDING THE CITY'S FISCAL YEAR 2000-2001 ANNUAL
BUDGET.

Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Laurell, Murphy, Ramos
(abstained on the minutes), and Kramer.

1503-1
Power Supply
Issues Update

Noes: Council Members None.

Absent: Council Members None.

Mr. Davis, Burbank Water and Power (BWP) General Manager, stated that the purpose of this report was to present the City Council with an update to the Department's response to the power supply issues that have been challenging BWP this fiscal year and will continue to challenge it over the next few years as well.

He began by stating that California is experiencing a power crisis because the State's demand for electric power has grown while the supply of electric power has not only failed to keep pace, but has also gotten older. He said that California needs more and newer power plants, more pipelines to supply natural gas to these plants, and more transmission lines to deliver power from these plants to where it is needed. He also said that the drought in the Pacific Northwest has reduced the hydroelectric output available to California this year, making the situation worse. He further said that the passage of deregulation has created volatility, caused significantly higher costs and lower reliability for customers as well as financial distress for utilities.

Mr. Davis discussed that the solution to the power crisis would require the State to build generation and related transmission and natural gas infrastructure, and pursue conservation measures. He noted that the State should expect shortfalls through the summer of 2003.

He then discussed the impact of the State power crisis on the City of Burbank. He said that Burbank will not have rolling blackouts because the City has sufficient power supply resources to meet the needs of its customers, even during summer peaks. Also, he said that because Burbank chose not to join the Independent System Operators (ISO), the City is not subject to its rolling blackout directives.

He further discussed that staff's efforts in the areas of cost control and wholesale trading will produce a surplus of \$6.8 million, rather than the previously anticipated shortfall of \$3.2 million, which will allow the Department's Rate Stabilization Fund to be maintained at its current level of \$17.4 million.

Mr. Davis said that BWP's goal is to limit its market volatility exposure to 10 percent of Burbank's annual energy requirements. He said that before the Bonneville Power Administration (BPA) recently took action to convert their

long-term contract with BWP to a different arrangement which will require BWP to secure additional energy from either its local generation or on the spot market, staff had positioned itself to reduce its Fiscal Year (FY) 2001-02 exposure from 34.2 percent to 11.8 percent. However, as a result of the BPA action, he said that this exposure has risen to 18.6 percent but noted that through continued forward purchases and natural gas and outside power, BWP intends to reduce its market exposure to its target of 10 percent. He noted that the BPA action will effectively raise costs an additional \$30 million in FY 2001-02, and appears to make it a virtual requirement that staff will have to recommend raising the electric rates.

He concluded by discussing that Burbank is not completely immune from the California power crisis, and conservation continues to be very important. He said that conservation cannot only reduce Burbank customers' electric bills from what they would otherwise be, but can also make more energy available to keep the lights on in other communities. He noted that staff was considering conservation rate designs that might, during this summer, partially or wholly offset the impact of a required rate increase.

The City Council noted and ordered the report filed.

1503-1
403
411
Magnolia Power
Project App. to
California Energy
Commission

Mr. Fletcher, Burbank Water and Power (BWP) Assistant General Manager, reported that on April 19, 2001, the participants of the Magnolia Power Project (Burbank, Anaheim, Colton, Glendale, and Pasadena) voted to submit the Application for Certification (AFC) to the California Energy Commission (CEC) on May 14, 2001 pending assurances from Los Angeles Department of Water and Power to agree to provide transmission service for the Project that recognizes the benefits the Project provides the Los Angeles area transmission grid. He noted that the CEC acts as the lead agency for the regulatory review of all major power projects in the State of California.

He then introduced Mr. Bruce Blowey, consultant, who he said would explain the Certification process. Mr. Blowey said that the CEC has the statutory authority to site and license the thermal power plants that are rated at 50 megawatts and larger, including transmission lines, fuel supply lines and other related facilities. He said that a 12-month review by the CEC

was the process in effect until the energy crisis. Now, he said a new 6-month review process was instituted to accelerate clean projects with priority given to superior projects.

He briefly cited the following key areas that the CEC requires to be demonstrated in the AFC at the time of filing: no public health or safety concerns, mitigated environmental impacts, no technical problems with transmission system, compliance with all legal requirements, and site and water available. He noted that the Magnolia Power Project AFC demonstrates compliance in all areas.

Next, Mr. Blowey noted the following environmental advantages of the Project: no need for additional transmission lines as the neighboring transmission systems can handle the new project; there is adequate natural gas service to the site; the reclaimed water from the nearby Burbank Water Reclamation Plant can supply water for cooling; and, air modeling studies have been performed that demonstrate there will be no significant impact due to emissions from the plant. He then noted his belief that the Project should not only qualify for the 6-month review process but should be given priority as a superior project.

Should the CEC approve the Magnolia Power Project, he said that construction will begin as soon as possible and is expected to be in operation in time for the summer of 2004. He then noted that once completed, Burbank will have a state-of-the-art power plant that will improve electric reliability and make BWP a good neighbor to the Community.

The City Council noted and ordered the report filed.

102-3
Adopt-A-Pet
Show Options

Mr. McManus, Public Information Officer, reported that at the beginning of the fall Primary Election, Council Member Kramer removed himself temporarily as host of the Adopt-A-Pet Show so that he could run for City Treasurer. At the conclusion of the Primary Election, he said that Mr. Kramer expressed interest in returning to the program as host, as had been the custom in the past. He noted that this matter was discussed at the March 20, 2001 City Council meeting and by a three to two vote, the Council decided not to reappoint Council Member Kramer to the Show, but instead to begin a period of rotating hosts among Council Members. At the same time, he noted that the Council asked the Public Information Office to explore a variety of hosting options, and report back to the

Council with an outline of possibilities.

In the intervening weeks while staff was preparing a report on the various options, he said that the system of rotating hosts as directed by the Council was put into effect. He said that the rotation system was not very effective, with some Council Members either unavailable to host or not interested in participating in the rotation. Thus, he noted that the weekly rotation of hosts has led to scheduling confusion, and few miscues.

Mr. McManus discussed that staff has identified the following seven options for hosting the Adopt-A-Pet Show: Option 1 – the Show be permanently hosted by an individual Council Member; Option 2 – the Show be hosted in rotation by Council Members who volunteer to participate in this rotation and if a Member is not available, the hosting chores default to Police Department staff; Option 3 – hold open auditions of all City employees in search of a host or hosts to be selected by staff from the Public Information Office and Animal Shelter; Option 4 – the Show be hosted by one of the Public Information Office non compensated, but professional hosts; Option 5 – the Show be hosted by one or two Shelter staff, with possible guest hosts from the community with a specific interest in, or expertise in, animal care and/or a Council Member; Option 6 – the Show be hosted by a community volunteer such as someone from an animal rescue group, veterinarian, or animal trainer; and, Option 7 – the Show be hosted by a celebrity or entertainer. He then said that in considering all options, staff is supportive of Option 1, utilizing an individual Council Member to be determined by the vote of the Council. He noted that staff feels that this option provides the least amount of logistical challenges resulting in a weekly show which is produced more cost effectively and efficiently with a finished product that is consistent, readily identified and followed by the public.

Motion It was moved by Mr. Laurell, seconded by Mrs. Ramos and carried with Mr. Golonski and Mrs. Murphy voting no that "the Show be hosted by a rotation of the Council Members and that the Council Member host, Animal Shelter or Public Information Office staff, look to enhance the show with educational features and/or guest hosts."

902
Dust Control

Mr. Cheng, Assistant Community Development

Mitigation Policy Director/Building Official, reported on the request from Council Member Golonski at the March 13, 2001 City Council meeting for staff to agendize an opportunity for the City Council to consider the Building Division's Dust Control Mitigation Policy.

He discussed that staff recently updated the City Dust Control Mitigation Policy (No. BD/PA-004) noting the enforcement of it is a joint effort between the Building Division and the Public Works Traffic Division. He said the new Policy refines the current requirements and provides detailed procedures designed to minimize the impact of fugitive dust beyond construction sites. He noted that the Policy applies to all demolition projects, inactive construction sites, and grading projects when more than 50 cubic yards of soil are being exported or imported.

Mr. Sloan, Plan Check Engineer, explained that dust control mitigation measures have traditionally been included as part of the plan check review process. He said that such things as chemical binders, soil stockpile controls, truck freeboard requirements, and truck haul routes are part of the required notes on all grading plans prior to issuance of permits. However, he said the notes that had been required were not specific and did not allow for the approved sweeping schedules or provide for specific track out controls. Thus, he said the revised Policy incorporates the requirements of Air Quality Management District Rules 403 and 1186 and the California Vehicle Code which provides for more specific and detailed requirements for all grading projects.

He then said the revised Dust Control Policy incorporates the following four general mitigation measures to control fugitive dust: soil stabilization, watering and street sweeping, track out controls and on-site monitoring. In addition, he said the Policy requires submittal and approval of dust control plans prior to the issuance of a permit.

Following discussion, the City Council directed staff to amend the Dust Control Mitigation Policy to require in special circumstances and at the discretion of the Community Development Director, that all trucks hauling dirt to and from development sites in the City have six inches of freeboard and also be covered.

500 Building Security Mr. Becker, Deputy Building Official, reported that at the March 13, 2001 City Council meeting, staff presented this

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Ordinance proposed ordinance amending Article 6 of the Burbank Municipal Code relating to the building security to the Council for consideration. At that meeting, he said the Council was generally supportive of the amendments to the Code but asked several questions regarding the minimum requirements for security bars on dwelling units.

In response to those questions, he said the Building Division and Fire Department conducted further research and found that the State Fire Marshal has adopted minimum requirements for security bars on dwelling units. Currently, he said there are two products that are completing testing procedures, but the specific manufacturers have not yet received final approvals. Therefore, he said that staff deleted the Security Bar Section from the proposed ordinance and reserved a Section so that this provision may be added to the Code in the near future when the State Fire Marshal has completed their approval procedures.

Mr. Becker then said that in re-reviewing the proposed ordinance, the Fire Department also requested that the Fire Marshal be added to the text of Section 7-623 to provide that any decision of the Fire Marshal, in addition to the Building Official, may be appealed to the Board of Building and Fire Code Appeals.

Lastly, he said that the City Attorney's Office opined that, pursuant to Section 8 of the City Charter, a proposed ordinance may be amended or modified between the time of the introduction and the time of the final passage provided its general scope and original purpose are retained. He noted that the proposed changes to this ordinance, originally presented to the Council on March 13, 2001, maintain its original purpose.

Ordinance Submitted It was moved by Mrs. Murphy and seconded by Mr. Golonski that "Ordinance No. 3575 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

500 Building Security Ordinance ORDINANCE NO. 3575:
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.

Adopted The ordinance was adopted by the following vote:

Ordinance Submitted
 Ayes: Council Members Golonski, Laurell, Murphy, Ramos, and Kramer.
 Noes: Council Members None.
 Absent: Council Members None.
 It was moved by Mrs. Murphy and seconded by Mr. Laurell that "Ordinance No. 3576 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

201-1 Attendance of Council Members-Elect at Closed Sessions
ORDINANCE NO. 3576:
 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 2-204 OF THE BURBANK MUNICIPAL CODE RELATING TO ALLOWING COUNCIL MEMBERS-ELECT TO ATTEND CLOSED SESSIONS OF THE CITY COUNCIL.

Adopted The ordinance was adopted by the following vote:

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

11:44 P.M. Reconvene Redev. Agency Meeting
 The Redevelopment Agency meeting was reconvened at this time.

Public Comment Mr. Kramer called for the second period of oral communications at this time.

Citizen Comment
 Appearing to comment were Irma Loose, on concern with speakers at a recent Council meeting regarding oral communications, and on concern that the City did not try and collect legal costs in the two Court of Appeals cases regarding the Airport; Mark Barton, on concern with disruptive behavior in the Council Chambers and referring to such rules regarding such behavior on the City Council agenda, and on his desire for the Cusumanos to develop the Old Police Block site; Esther Espinoza, asking who in the City was being provided with affordable housing, on concern with the expense of apartment rental rates, and asking the Council to look into rental policies at an apartment complex at 250 Verdugo Avenue; Bob Etter, stating his belief that only clear water could be spilled on the streets and should apply to the dust control policy, on the

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controversy over the mascot at John Burroughs High School, and on concern with a marquee at the Falcon Theater; and Mike Nolan, on concern that the Agency approved the change to the owners of the AMC project and asking what type of modifications are being made to the theaters to comply with the American with Disabilities Act provisions.

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 12:02 a.m. to Thursday, May 10, 2001 at 6:00 p.m. in the Council Chambers, 275 East Olive Avenue to conduct a Budget Study Session including discussion of the Budgets for the Fire Department, City Treasurer's Office, City Manager's Office, City Attorney's Office, City Clerk's Office, City Council Office, Library Department and Financial Services Department.

Judie Sarquiz, City Clerk

APPROVED JULY 17, 2001

Mayor of the Council
of the City of Burbank