

TUESDAY, JULY 17, 2001

A regular meeting of the Council of the City of Burbank was held at the Fire Training Center, 1845 North Ontario Street, 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, Ramos and Kramer.
Absent - - - - Council Members Golonski and Murphy.
Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Elliot, Municipal Records Clerk.

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

Citizen Comment Appearing to comment was Marie Paino, on oral communication procedures and the tri-city Airport meeting.

5:02 P.M. Recess The Council recessed at this time to the Fire Training Center 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
- d. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: Charter Communication’s Wire Maintenance Fee Appeal.
Brief description and nature of case: Charter’s appeal of City’s rate order to the Federal Communications Commission.

7/17/01

- e. Conference with Labor Negotiator:
Pursuant to Govt. Code §54957.6
Name of the Agency Negotiator: Management Services Director/John Nicoll
Name of Organization Representing Employee: Represented, Unrepresented, and Appointed City Employees, Burbank City Employees Association, Burbank Management Association, International Brotherhood of Electrical Workers, Burbank Firefighters Association, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association.
Summary of Labor Issues to be Negotiated: Contract for Fiscal Year 2001-2002.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:31 p.m. by Mr. Kramer, Mayor.

Invocation The invocation was given by Thos Peterson, Elder, Little White Chapel.

Flag Salute The pledge of allegiance to the flag was led by Mr. Barlow, City Attorney.

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; and, Mrs. Sarquiz, City Clerk.

6:35 P.M.
Hearing
1408
Renaming
Victory Pl. to
Kelly Johnson
Blvd. Mayor Kramer stated that "this is the time and place for the hearing on the street name change of Victory Place to Kelly Johnson Boulevard."

Notice
Given The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that letters were received from Pamela Archbold, Burbank Water Ski, opposing the name change and Geoff Williams, Burbank resident, supporting the name change. Mr. Hess, Administrative Analyst, noted that he received a call from the

business owner at 1031 Victory Place opposing the name change.

Staff
Report

Mr. Hess, Administrative Analyst, reported that at the January 23, 2001 City Council meeting, then Vice Mayor Kramer indicated that the Council received a letter requesting a street name change of Victory Place to Kelly Johnson Boulevard in light of the Five Points Realignment Project and the Burbank Empire Center Project along Victory Place at the old Lockheed B-1 site and directed staff to look into the matter.

He explained that Burbank Municipal Code Sections 26-1001 through 26-1004 describe the formal procedure for street name changes. According to the Code, he said that "Street name changes may be established or changed when the proposed street name is for the purpose of honoring or calling attention to persons or places having special prominence and significance to the culture of the history of the City." Further, he said the Code requires that the Traffic and Transportation Committee consider the name change request and present their recommendation to the City Council for consideration.

Mr. Hess discussed that based on Mr. Johnson's biography, which identifies his enormous impact on the aerospace industry, which played a pivotal role in the economic growth and well being of Burbank and the surrounding area, staff believes that he does meet the criteria as laid out in the Code. As such, he said the street name change request was presented to the Traffic and Transportation Committee at their March 8, 2001 meeting. He noted that following consideration, the Committee recommended approval of the street name change to the City Council.

He said staff's key concern with the street name change is the potential cost to businesses affected if it is approved by the Council. He said that most all businesses would need to change such items as office supplies including business letterhead, business cards, advertising and possibly an array of other miscellaneous items to reflect a new street address. He noted that the Code does not address this issue; however, he said staff would recommend that the effective date of the name change be October 1, 2001 to alleviate this issue and, in essence, mark a good transition as that area will be transformed from both the new development and street improvements being completed.

7/17/01

Lastly, Mr. Hess discussed that a total of six aluminum signs at a cost of \$450 each would be necessary to complete the name change for all of Victory Place. Further, he said a total of nine non-aluminated signs at a cost of \$250 each will need to be changed.

Citizen
Comment

Appearing to comment were Don Arndt, business owner on Victory Place, opposing the street name change due to the cost to the business owners and suggesting the Burbank Empire Center be named after Kelly Johnson noting this would be a greater honor; Mike Duncan, business owner on Victory Place, opposing the name change noting it will cause difficulty for his business patrons, and agreeing that naming the Burbank Empire Center after MR. Johnson would be a better honor; R. C. "Chappy" Czapiewski, supporting the street name change, and asking whether staff has been in contact with Mr. Johnson's widow to obtain her approval of the street name change; and Carlos George, representing St. Francis Imports located on Victory Place, opposing the change as it will be costly for them to change all of their marketing materials.

Hearing
Closed

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

Motion

It was moved by Mr. Kramer, seconded by Mrs. Murphy and carried that "the public hearing be continued to a future date and renoticed at that time and, meanwhile, staff be directed to conduct further research on the matter including looking into compensating the business owners as a result of the name change, extending the street name change for two years to give businesses adequate time to make all necessary changes, naming alternative projects (Burbank Empire Center) or streets (street entering the Airport) after Mr. Johnson, and talking to the Kelly Johnson family to obtain their input into the matter."

Reporting on
Closed Session

Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings. He noted that the Council agreed to the proposed Charter Communications Wire Maintenance Plan fee settlement for \$162,000 (\$12.12 per subscriber who had the wire maintenance fee on their service) and said that the settlement will be on a future public agenda for Council approval.

406
 Airport Authority
 Meeting of
 July 15, 2001

Airport Commissioner Charlie Lombardo began his report by reading a letter from Airport Authority President Holden on behalf of the Airport Authority to Mayor Kramer and the Burbank City Council which stated the Authority has been in a reorganization process over the past few weeks and is now in a position whereby they want to work together with the cities of Burbank, Glendale and Pasadena on finding a resolution to the Airport Terminal Project, and stating that as a result of the Tri-City meeting on July 12, 2001 and the 10 Principles presented by the Burbank City Council at that meeting, the Airport Authority will be holding a special meeting on July 19, 2001 to discuss the Principles.

He then reported on the items that were on the July 15, 2001 Airport Authority meeting agenda. He noted that the Authority approved the following matters: the May Treasurer's Report; a proposed revision to the City of Burbank Approach Map; a contract with Excel Paving for a landside paving project; an increase in the Professional Services Agreement with Landrum and Brown for additional work in Phase 1 of the Part 161 Study; award of a contract with Wally Perfect for residential acoustical treatment of an additional 30 homes; and, a three year extension with JJ Protective Services Inc. for the aircraft rescue and fire fighting contract. Lastly, he said the Authority received a report on an agreement reached with the Burbank Unified School District whereby the Airport will present them with \$250,000 towards completion of non-eligible improvements to Mingay School.

The City Council received the report.

First Period of
 Oral
 Communications

Mr. Kramer called for speakers for the first period of oral communications at this time.

Citizen
 Comment

Appearing to comment were Howard Rothenbach, asking about the proposed refund to residents from Charter Communications, and on the new Burbank Water and Power bill; Esther Espinoza, stating the Tri-City meeting regarding the Airport was unproductive, and asking who Burbank provides housing loans to in the Community; and David Piroli, on concern with emissions from planes and asking what standards exist regarding fuel emissions and what agency

7/17/01

oversees those standards.

Staff
Response

Members of the Council and staff responded to questions raised.

Second Period of
Oral
Communications

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

Citizen
Comment

Appearing to comment were Don Elsmore, on concern with statements made by the Airport Executive Director at the July 12, 2001 Tri-City Meeting on the Airport and referring to the Joint Powers Agreement to refute his statements regarding debts and liabilities of the parties, and on concern with the terminal relocation project at the Airport; Bob Etter, on concern with emissions from the planes at the Airport, and on concern with any proposed re-use of the old Buena Vista Library that will impact the traffic in the neighborhood and suggesting that instead the City erect three residential homes on the site; Marie Paino, supporting the re-use of the Buena Vista Library as residential homes, supporting the nutrition grant proposal, and supporting the appeal of the childcare center at Burbank Temple Emanu El; R. C. "Chappy" Czapiewski, on concern with actions of the Airport Authority and information they provide to their Commissioners, and on a public records request he made to the Airport Authority; Steve Miller, on concern that the Burbank Temple Emanu El issue has turned to a matter of racism and stating his belief that it is strictly a local land use issue and urging the Council to uphold the appeal; Howard Rothenbach, on concern that the 10 principles presented by the Burbank City Council to the Tri-Cities at the July 12, 2001 meeting on the Airport were not discussed publicly before being presented to the other cities, and stating his support for the Principles and comparing them to the Restore Our Airport Rights (ROAR) initiative; Esther Espinoza, on concern with the Strategic Planning process conducted by the City, and on concern with the hiring practices of the City; Hoori Chalian, stating she is a candidate for the Youth Endowment Services Fund Advisory Committee, noting her experience as a teacher and her commitment to youth, and asking the Council to consider appointing her to the Committee; Mark Barton, on concern with the ROAR initiative, on concern with the legal implications surrounding the Airport issue, and on concern that the three cities will not be able to get the Federal Aviation Administration to listen to their concerns regarding the Airport; Ted McConkey, refuting a statement by Council Member Murphy that there was an

existing agreement between the City and the Airport for a terminal that limited the number of gates, and asking when the Council approved the 10 Principles regarding the Airport that were presented at the July 12 Tri-City meeting noting concern it was conducted in Closed Session and done in violation of the Brown Act; Gilbert Grodsky, on concern with the Council's denial of the Burbank Temple Emanu El childcare center, stating his belief that there were many misrepresentations from the surrounding neighborhood regarding the proposed Temple project, and noting the need for the new center and asking the Council to reconsider their denial of the project; David Piroli, on concern with emissions from aircraft, noting quality of life regarding the Airport was essential and a major priority, and stating the three cities should work together regarding the Airport but noting his belief that secret meetings were not productive; Ron Vanderford, on concern with statements made by the Airport Executive Director at the July 12 Tri-City meeting regarding liability for the parties, on concern that the Airport continues to misrepresent their proposed terminal replacement project, and supporting the ROAR initiative; and Irma Loose, supporting the ROAR initiative, and on concern that the Council abandoned the Airport 21st Century Plan and noting her distrust of the Council in the Airport matter.

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| Staff Response | Members of the Council and staff responded to questions raised. |
| 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 special meeting of May 8, 2001, the regular meeting of May 8, 2001, the adjourned meeting of May 10, 2001, the regular meeting of May 15, 2001, the adjourned meeting of May 16, 2001, and the regular meeting of May 22, 2001 were approved as submitted. |
| 201-2 10 Year Strategic Plan | <p>A report was received from Mr. Hess, Administrative Analyst, which presented the Council with the latest draft of the City's new Ten Year Strategic Plan. The report noted strategic planning is a process for anticipating the future, seeking input from the community and creating a common vision.</p> <p>The report explained that in May 1990, the Burbank City Council adopted the 10 Year Strategic Plan entitled Burbank:</p> |

7/17/01

Moving Toward the 21st Century. Each and every year thereafter during that decade, the Council adopted an annual Work Program of specific objectives which were intended to help implement the vision and goals set forth in that original Strategic Plan.

The report further explained that now that the 1990 Strategic Plan has come to an end, it is time to embark on a new Strategic Plan. The new 10 Year Strategic Plan entitled Embarking on a New Millennium, will be the guiding instrument for the City's actions, programs and priorities over the next several years. The report noted that, pursuant to Council direction, the new Plan incorporates data from the recently completed 2001 citizen survey as well as the 2001 Youth Summits and was reviewed by each department and all Burbank Boards and Commissions.

The City Council received the draft 10 Year Strategic Plan entitled Embarking on a New Millennium and directed staff to schedule a study session on August 9, 2001 to discuss and review the document prior to the Council adopting the Strategic Plan."

804-3
702-2
Senior Citizen
Nutrition and
Supportive Svcs.

RESOLUTION NO. 26,057:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE EXECUTION AND FILING OF A PROPOSAL FOR A FURTHER GRANT UNDER TITLE III OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED, FOR SUPPLEMENTAL NUTRITION PROGRAMS AND SUPPORTIVE SERVICES.

1301-3
2000 Citywide
Alley
Reconstruction
(B.S. 1066)

RESOLUTION NO. 26,058:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE 2000 CITYWIDE ALLEY RECONSTRUCTION PROJECT, BID SCHEDULE NO. 1066.

Adopted

The consent calendar was adopted by the following vote:

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

8:17 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 8:33 p.m. with all members present.

701
1207
Re-Use of the
Old Buena Vista
Library Site

Mr. Lynch, Senior Redevelopment Project Manager, reported that on April 10, 2001 the City Council approved the new 28,198 square foot Buena Vista Library building and passive park project, located at 320 North Buena Vista Street. As construction of the new library facility and park will begin shortly, he said a committee representing various departments was formed to explore opportunities for the re-utilization of the Old Buena Vista Library.

He explained that the existing Buena Vista Library is located at 401-405 North Buena Vista Street with an adjacent parking lot located on the northeast corner of Frederic Street and Verdugo Avenue. He said the subject site is comprised of approximately 37,094 square feet and is currently improved with an 8,600 square foot building constructed in 1948. He noted that zoning on the subject property is R-1, single-family residential.

Mr. Lynch discussed that the committee conducted several meetings to consider a variety of possible public uses for the site. He said a number of uses were identified, but some were determined to not be appropriate for the site particularly considering the size of the property and neighborhood compatibility. He noted that some of the uses that were deemed inappropriate included a soccer field, dog park, roller hockey center, and vocational center.

Following additional analysis, he said the committee focused on the following four options: 1) standard single-family residential development; 2) small lot single-family housing; 3) a child care center utilizing the existing building; and, 4) a newly constructed child care center. He said the single-family housing options are being considered because they would be very compatible with neighborhood. He then said the two variations of a childcare center are considered due to the serious unmet demand for quality childcare within the City. Furthermore, he said a childcare use would not create neighborhood impacts on weekends or evenings due to the hours of operation of childcare centers.

Following discussion, the City Council directed staff to conduct

7/17/01

203-5
Appt. to the
YES Fund
Advisory
Committee

a community meeting with notices sent to all residents/property owners within 2,500 feet of the site, to receive public comment for the proposed four options.

Mrs. Sarquiz reported that on June 13, 2001, the City Clerk's Office began advertising and accepting applications for one vacancy on the Youth Endowment Services (YES) Fund Advisory Committee for the position vacated by Todd Layfer following his appointment to the Park, Recreation and Community Services Board in June. She noted that as of the July 6, 2001 application submittal deadline, applications were received from Hoori Chalian, Paul Krekorian, Leslie Cohen, Miguel Porras, and Doris Vick.

Following a vote, the Council appointed Hoori Chalian to the Youth Endowment Services Fund Advisory Committee for an unexpired term ending June 1, 2003.

1704-3
602
Granting Appeal
of CUP 2000-41
(Burbank Temple
Emanu El)

Mrs. Georgino, Community Development Director, reported that pursuant to City Council direction at their June 26, 2001 meeting, staff was presenting a proposed resolution for consideration that would grant an appeal by William Rudell on behalf of Robert and Judith LaVerde of Conditional Use Permit No. 2000-41 with Development Review No. 2000-24 (Burbank Temple Emanu El applicants). She said the Planning Board approved the project on March 26, 2001 with an appeal filed on April 24, 2001. She noted that the Council considered the appeal on June 5 and June 26, 2001 and ultimately voted to grant the appeal, and directed the City Attorney to draft an appropriate resolution.

Motion

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

1704-3
602
Deny CUP No.
2000-24
(Burbank Temple
Emanu El)

RESOLUTION NO. 26,059:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVERSING THE PLANNING BOARD'S DECISION AND DENYING CONDITIONAL USE PERMIT NO. 2000-41 AND DEVELOPMENT REVIEW NO. 2000-24 (APPLICANT - BURBANK TEMPLE EMANU-EL, 407 BETHANY ROAD).

Adopted

The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Laurell, and Kramer.
Noes: Council Members Murphy and Ramos.

Absent: Council Members None.

Ordinance Submitted It was moved by Mrs. Murphy and seconded by Mr. Golonski that "Ordinance No. 3583 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702
1104-2
1204-1
709
PD 2000-3
Housing & Child
Care Demo
Project.

ORDINANCE NO. 3583:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PLANNED DEVELOPMENT NO. 2000-3 AND A DEVELOPMENT AGREEMENT RELATED THERETO (2242-2306 NORTH ONTARIO STREET AND 2245-2251 NORTH FAIRVIEW STREET).

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.

Ordinance Submitted It was moved by Mrs. Murphy and seconded by Mr. Golonski that "Ordinance No. 3584 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702
1102
PD 2001-3
Neighborhood
Drop-in/Tutorial
Center

ORDINANCE NO. 3584:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PLANNED DEVELOPMENT NO. 2001-3 AND A DEVELOPMENT AGREEMENT RELATED THERETO (241-243 WEST VERDUGO AVENUE).

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.

Third Period of Mr. Kramer called for speakers for the third period of oral

7/17/01

Oral Communications communications at this time.

Citizen Comment Appearing to comment were Irma Loose, on an article in the Burbank Leader related to regular speakers at Council meetings, on concern with statements by Vice Mayor Laurell related to regular speakers at the meetings, and supporting the 21st Century Airport Plan; Bob Etter, on concern with traffic generated by childcare centers, on concern with the color of paint and signs on a business on Magnolia Boulevard near Catalina Street, and supporting the development of homes on the old Buena Vista Library site; Ted McConkey, stating a member of the public asked him to ask the Council for an update on the Chandler Accessway project, asking whether there is a legally enforceable agreement between the City and the Airport related to the terminal project, asking how the City could present the 10 Principles at the Tri-City meeting on July 12 when the entire Council did not approve them, and on concern that the City Council regularly violates the Brown Act in Closed Session; and Mark Barton, stating no one will be a winner in the Airport matter, on concern with the money spent thus far on the Airport with few accomplishments and asking the Council to be practical in the Airport matter.

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 9:13 p.m.

Judie Sarquiz, City Clerk

APPROVED AUGUST 21, 2001

Mayor of the Council
of the City of Burbank