

TUESDAY, AUGUST 14 , 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 5:06 p.m. by Mr. Kramer, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Laurell, Murphy, and Kramer.
Absent - - - - Council Member Ramos.
Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; Ms. Alvord, Assistant City Manager; and, Mrs. Cabil, Municipal Records Clerk.

Oral Communications There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

5:07 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): 2

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:36 p.m. by Mr. Kramer, Mayor.

Invocation The invocation was given by Lisa Caparco, Director of Preschool, Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Ben Applegate, OTA Exchange Student.

8/14/01

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. Moioffer, Deputy City Clerk.

301-1
Recognition of
City Employee
Joel Embick

Mayor Kramer introduced Joel Embick, the City's Landfill Supervisor, who retired on August 1, 2001 after 38 years of service to the City of Burbank and was presented a framed photograph of City Hall.

301-1
OTA Student
Exchange
Program

Mayor Kramer introduced Julia Vezina, social science teacher, and Joseph Hadaya, math teacher at John Burroughs High School, who served as chaperones for the exchange program trip to Burbank's Sister City, Ota, Japan. They, in turn, introduced the following students, who spoke on behalf of the group about their experiences visiting Ota: Josh Patterson, Laura Davy, Alex Loera, Nelson Babin-Coy, and Holly Childers.

Additional
Agenda Item

It was moved by Mrs. Murphy, seconded by Mr. Laurell, and carried, that "the August 16, 2001 canceled Ad Hoc Committee meeting of the Airport Principals be added to this meeting's agenda and discussed, noting "there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted."

6:58 P.M.
Hearing
1701
ZTA 2001-2
Hours Allowed
For Construction
Operations for
Noise Control

A report was received from Mrs. Georgino, Community Development Director, which stated that this hearing was originally scheduled for the Council meeting of July 24, 2001, but was continued to August 14, 2001 to provide additional time for staff to discuss the proposed changes with City Departments and other outside affected parties. The report noted that staff was again requesting that this hearing be continued to provide an opportunity for further review.

Motion

It was moved by Mrs. Murphy, seconded by Mr. Laurell and carried that "this item be continued to the City Council meeting of September 11, 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
Special Meeting
of July 31, 2001
and the Regular
Meeting of
August 6, 2001

Airport Authority Commissioner Dave Newsham reported that the following matters were discussed at the special meetings of July 19, July 26, and July 31, 2001 and the regular meeting of August 6, 2001: The special meetings dealt with issues of property and formulating a response to the City Council's Ten Principles which were reported at open session on July 31st; the full Authority meeting of August 6, 2001 included the single issue of valet parking services on which the Authority voted to go out to bid to test the market, noting that the current contractor has indicated his costs have increased 17 percent and he is no longer able to fulfill the contract at the current rate and asked for an increase.

Next he stated that at the Finance Committee meeting conducted earlier on this date, the Authority discussed Desmond Studio Rentals, who requested an additional two acres on the 360 site on a month-to-month lease which was granted. He also said that the Federal Aviation Administration granted the Airport Authority an additional \$10 million to be used for home noise insulation which will expedite and expand the program.

Commissioner Newsham concluded by stating that when the current Burbank Commissioners were appointed to the Authority, they were asked to create an environment to allow the City Council to negotiate a settlement to a long-standing dispute. He stated he feels they have created that environment and these important issues need to be discussed as the beginning of the process at a public discussion. He then noted that all three Burbank Commissioners support a curfew and any other reasonable controls on the Airport.

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 Gary Garrison, asking about the plans for the AMC Theater and how it will look; Esther

8/14/01

Espinoza, referring to the 2000 Census and asking how many City employees represent minorities; Dink O'Neal, on five points signalization and thanking Library trustees and Friends of the Library for the summer reading program; and Ron Vanderford, encouraging a yes vote on Measure A to limit Airport growth and reminding voters to sign the back of their ballot envelope.

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, stating that when he spoke two weeks ago, he noted that the Airport was hoping to reduce the incompatible area of noise to zero within three years, and noting when the state authorizes a variance due to a noise problem and if the Airport duly applies again it can be an open-ended situation if the Airport files within 30 days of the variance expiring, and noting that if the Airport Authority reduces the incompatible land to zero they won't need any more variances and thus opens a new opportunity to do anything they please; R. C. "Chappy" Czapiewski, questioning why Mr. Wiggins was appointed as an Airport Commissioner when he is a member of the Glendale Chamber of Commerce and thereby has a conflict of interest and noting he has not attended three meetings since being appointed to the Authority; Bill Orr, on amount of Burbank taxpayer dollars paid to an Airport attorney/lobbyist hired by the City, on concern with the City Attorney's comments on the legality of Measure B, asking why the City has given millions of dollars in property to developers in Burbank, and asking for a yes vote on Measure A; Esther Espinoza, commenting on the oral communications review and asking to bring the previous schedule for oral communications back, and on her position of making the public aware of the lack of minority hiring; Marie Paino, commenting on oral communications and noting that it should revert to the previous manner, because residents, citizens, and taxpayers of Burbank should have the right to voice their opinions; Ron Vanderford, asking for a yes vote on Measure A, noting that Council Members have publicly stated that voters should vote no on Measure A because it will be litigated, and noting the amount of funds that have been spent on Airport litigation and a lobbyist for Airport legislation; Celeste Francis, supporting reverting back to the previous oral

communications process and on the agenda for Thursday's meeting not being available on the Internet; Mark Barton, on the continuing demand for flights out of Burbank so there must be a need for it; Dr. Theresa Karam, noting that a yes vote on Measure A will protect Burbank property values and citing the importance of Measure A for the community, and reading a newspaper article written by Stan Hyman on a new committee to look into airport matters; Dink O'Neal, on the success of the current options for oral communications, supporting option number one and, if the Council is not comfortable with that, extend the trial period; David Piroli, requesting a status update on the City Council Chambers renovation, on request for signage on Third Street in front of Burbank High School and asking what was done about the 300 people a day who were jay-walking, and asking about the 10 million dollars spent on Airport litigation mentioned by Mr. Newsham and requesting an accounting of what the money was spent on; and Molly Hyman, acknowledging Bill Orr's comments and noting that these questions will be asked in more depth and the public is entitled to clear answers.

Staff Response	Members of the Council and staff responded to questions raised.
8:05 P.M. Recess	The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 8:27 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 meetings of June 19, June 26, July 3, and July 10, 2001 were approved as submitted.
1301-3 VES at Public Works Yard (B.S. 1093)	<u>RESOLUTION NO. 26,073:</u> 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 INSTALLATION OF VAPOR EXTRACTION SYSTEM AND EQUIPMENT, BID SCHEDULE NO. 1093.

limited comment to discussion of items on the agenda for a six-month trial period. He said that the Council also added a new period of Oral Communications at the beginning of the meeting where speakers could discuss any subject matter within the jurisdiction of the City Council for one minute. He noted that it was difficult to determine if the changes have had the desired result, but the Council has several options: leave the changes as previously made; revert back to the previous system of Oral Communications; make additional or different changes; or, extend the trial period for a further set time.

Motion It was moved by Mrs. Murphy, seconded by Mr. Laurell and carried with Mrs. Ramos and Mr. Kramer voting no that " the City Council leave the format for oral communications as it currently is."

201-2
Approval of
Proposed FY
2001-02 City-
wide Work
Program

Mr. Hess, Administrative Analyst, reported on the request for City Council adoption of the Fiscal Year 2001-2002 Work Program. He said the Annual Work Program is used to identify, prioritize, and monitor the City's objectives/goals for the upcoming year. He then noted that many of the more than 350 items contained in the 2001-2002 Work Program have been discussed during the budget study sessions, the 10-year Strategic Plan study session, and the Council's Goal Setting Workshop.

Following a brief discussion and presentations by several Department Managers, the City Council requested the following items: Mr. Golonski requested the addition of an item to explore the feasibility of planting larger shade trees in locations like triangular medians, and review parcels owned by the City that need renovation; the City Council requested that a presentation be given at a future meeting on the Community Policing Program; and, Mr. Golonski requested that a survey be made of all bus stops to assure there is, at a minimum, a bench at each location.

Motion It was moved by Mrs. Murphy, seconded by Mr. Golonski and carried that "the 2001-2002 Work Program be adopted and published, and that staff be directed to schedule five to ten minute presentations by each Department Manager at future Council meetings and include an overall view of the programs and review of the Council's top 10 goals, excluding Airport resolutions."

8/14/01

406
Cancellation of
Ad Hoc
Committee
Meeting

Council Member Murphy briefly reported that an ad hoc meeting of the Airport Principals (cities of Burbank, Glendale, and Pasadena, and the Airport Authority) was scheduled for August 16, 2001 at the request of the City of Glendale. However, she said the meeting was subsequently cancelled and noted that the Council needed to take action to officially cancel the meeting.

Motion

It was moved by Mrs. Murphy, seconded by Mr. Golonski, and carried that "the August 16, 2001 meeting be canceled and that the City Manager be directed to work with the City Managers of Glendale and Pasadena and Airport Authority Executive Director Dios Marrero to schedule a future public meeting of the Airport Principals.

9:32 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Third Period of
Oral
Communications

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

Citizen
Comment

Appearing to comment were Mark Barton, on his interest in City meetings and speaking in favor of planting more trees; Dr. Theresa Karam, on concern that City Council members speak on initiatives before the voters; Howard Rothenbach, on his opinion that Council Members are campaigning against an initiative of the voters; David Piroli, on Glendale's proposal to hold a Brown Act meeting on Airport issues and in his opinion stating all meetings should be public and all interested parties should be able to provide input, and requesting regular updates on the changing electrical environment; and Mike Nolan, on the amount paid per hour to an Airport Legislative Consultant, and suggesting that elected officials and organizations the City currently belongs to can sufficiently provide the same information.

Staff
Response

Members of the Council and staff responded to questions raised.

8/14/01

Adjournment There being no further business to come before the Council, the meeting was adjourned at 9:53 p.m.

Kay Moioffer, Deputy City Clerk

APPROVED OCTOBER 2, 2001

Mayor of the Council
of the City of Burbank