

TUESDAY, JANUARY 22, 2002

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 5:01 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. Campos, 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, requesting a status report of the Administrative Variance Hearing, asking the Council to protect witness availability and not throw away their right, on being hopeful that the Declaratory Relief suit will be dropped, and requesting a status report on the City's dealings with Enron.

5:04 P.M. Recess The Council recessed at this time to the City Hall Basement Lunch Room/Conference Room, to hold a Closed Session on the following:

- a. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
 1. **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.
 2. **Name of Case:** City of Burbank v. Burbank-Glendale-Pasadena Airport Authority.
Case No.: BC259852
Brief description and nature of case: Declaratory Relief.
 3. **Name of Case:** In re Enron (Bankruptcy)
Case No.: USBC Case No. 01-16034-ajg (Southern District, New York).
Brief description and nature of case: Enron, a major energy marketer, filed a Chapter 11 bankruptcy on December 5, 2001.

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- 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

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 Dr. Paul Sago, Burbank First United Methodist Church.

Flag Salute The pledge of allegiance to the flag was led by John Brady, President, Burbank Human Relations Council.

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. Campos, City Clerk.

301-1
3rd Annual
Holiday Pet
Adoption Center
Volunteers Mayor Kramer, Ellie Knapp and Madelaine Hibbs presented Certificates of Recognition to the volunteers of the Pet Adoption Center in the following categories: Construction: Mike Evans, Michael Knapp; Volunteers: Connie Donoho, Gail Reinig, Scott Osborne, Natacha Quintanella; student volunteers: Sara Desposito, Ashley McDaniel, Kelly Reinig, Daniel Sway, Erika Velasco; students of Monterey High School who created the portraits of the pets: Peggy Zirves (teacher) and students Diego Sandoval, Shoghi Castel de Oro, Veronica Zhukova, Sara Estrada, Shelah Kelso, Brynn Larsen, Armando Rodriguez; City employee volunteers: Madelaine Hibbs, Jennifer Wyatt, Ellie Knapp; Shelter Personnel: Winnie Broussard, Tracy Fossen, John McCollough, Florante Pagador, and Stacie Woodlevin.

301-1
Martin Luther
King Jr. Day Mayor Kramer introduced John Brady, President of the Burbank Human Relations Council, who introduced the following ninth-grade students from Burbank High School who recited Martin Luther King's "I Have A Dream" speech: James Hadley, Andi

Diaz, David Dickman, Amanda Morteo, and Stephane Yee. Mayor Kramer presented a Certificate of Recognition to Ted Milner, founder of the Black Baseball Players' Association, and a Certificate of Recognition was presented to Linda Maxwell and Jose Quintanar, co-directors of We Care For Youth.

301-1
Road Kings 50th
Anniversary

Mayor Kramer presented a Commendation to Bob Moore, President, and Don Baldaseroni, Past President, in celebration of the club's 50th Anniversary.

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 Report

Airport Commissioner Bill Wiggins reported on the Airport Authority meeting of January 22, 2002. He began by reporting on the following five items which were before the Authority for approval: minutes of the January 7, 2002 meeting; an America West leasehold reduction of 320 feet of office space which the Authority reclaimed and will be using for security training; a lease agreement with Conceptual Perceptions, Inc., a manufacturer of electric vehicles, who is leasing 5,000 square feet in the restricted area for vehicle storage; a leasehold reduction of 1,066 square feet from Paradies Shops which will be maintained as common use space; and finally an increase in access fees for three classes of Off-Airport Operators. He then reported out on the following items discussed in closed session: On a 9-0 vote, the Authority voted to make an offer to the two businesses next to the Chevron Station (dry cleaners and fast-food operation); and on a 6-3 vote with Commissioners Wiggins, Lombardo and Povailitis dissenting voted to accept an offer from Cal Pers, the new company which took over for Cabot, who had an offer on the 360-site, and who are requesting entitlements prior to closing the deal, as opposed to the previous purchaser who had not required prior entitlements. He added that the Commissioners also received the 2001 Audited Financial Statements as an information item.

First Period of
Oral
Communications

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

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Citizen Comment Appearing to comment were R. C. "Chappy" Czapiewski, on his intention to donate a book about the SR-71 to the Burbank Public Library entitled Blackbird Rising, autographed by one of the co-authors, and claiming to be deprived of his first amendment rights last week due to the fact that he was stopped from making a presentation; and Esther Espinoza, on Martin Luther King Day and asking whether Burbank recognizes this date.

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 R. C. "Chappy" Czapiewski, thanking Mr. Barlow for his partial reply to a previous Brown Act request, and reading from a Burbank Leader editorial regarding Measure A; Esther Espinoza, on the Professional Services Agreement for Ultrasystems being phony and give-away money, on tree trimming response time, on the Master Agreement with CalTrans, on the Professional Services Agreement for the Central Library renovation project being another give-away as the service can be provided by the City's Engineering Department; Mike Nolan, expressing gratitude for the status report on Enron, inquiring on the amount the City is going to pay for consultant services on the landfill bonds as this information should be readily available to the people of Burbank, requesting additional assurance from staff that there is no fee increase planned in 2002-2003 due to the closure of the front face of the landfill, and inquiring as to the status of the noise variance hearing; and Mark Barton, on the lawsuit against the Airport, and requesting an explanation as to why neither the Airport Authority, Howard Rothenbach nor the Committee to Restore Our Airport Rights (ROAR) want anything to do with the lawsuit.

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

Item Removed From Consent The item regarding the Authorization of the Issuance of Waste Disposal Refunding Revenue Bonds, 2002 Series A and B was

Agenda removed from the consent agenda for the purpose of discussion.

Motion It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."

Minutes Approved The minutes for the regular meeting of November 6, 2001 were approved as submitted.

1009-1 RESOLUTION NO. 26,160:
Revise Salary for Police Recruit A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY FOR POLICE RECRUIT.

1502 RESOLUTION NO. 26,161:
410 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Extend JPA in APPROVING A SECOND AMENDMENT EXTENDING AN
the San INTERIM JOINT POWERS AGREEMENT WITH PARTICIPATING
Fernando Valley LOCAL JURISDICTIONS IN THE SAN FERNANDO VALLEY
Trans. Zone TRANSPORTATION ZONE.

1101-2 RESOLUTION NO. 26,162:
1101 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
PSA with APPROVING THE PROFESSIONAL SERVICES AGREEMENT
Ultrasystems WITH ULTRASYSTEMS ENVIRONMENTAL, INC. FOR THE
Inc. for Update UPDATE OF THE LAND USE ELEMENT AND PREPARATION OF
of the Land Use THE ENVIRONMENTAL DOCUMENTATION REQUIRED UNDER
Element THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

403 RESOLUTION NO. 26,163:
1301-3 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Master Agmt. w/ AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER
Caltrans for AGREEMENT AND FUNDING AGREEMENT WITH CALTRANS.
Street
Resurfacing

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.

804-4
Issuance of
Waste Disposal
Refunding
Revenue Bonds,
2002 Series A
and B

Mr. Hanway, Financial Services Director, reported that approval of this bond refunding accomplishes three things: 1) refunding all current outstanding debt of the waste disposal bonds, 2) a clean-up of a potential issue on one of the current series, and 3) providing new money for a partial closure of the front face of the landfill.

He stated that the Series A (taxable) Bonds will refund the existing 1992 Series A Bonds which relate to the Recycling Center. He discussed that upon the advice of Bond Counsel, staff believes it is prudent to issue Series A as taxable bonds to ensure compliance with current tax law interpretation.

He reported that the Series B (tax exempt) Bonds refund the Waste Disposal Revenue Bonds 1992 Series B, 1993 Series A, and the 1994 Series A, as well as provide an additional \$900,000 which will be combined with another \$300,000 which is available for a \$1.2 million partial closure of the front face of the landfill.

He discussed that since the date of the staff report, the numbers have improved as follows: the total net increase to debt service will be \$17,000, which is almost half of what was disclosed in the staff report, and based upon a five-year projection and a one-time reduction in post closure liability, staff is committing to no rate increases in the Refuse Fund.

He stated the cost for issuance of the bonds is as follows: the underwriter Rich DeProspero, of EJ DeLaRosa & Co., will be paid approximately \$150,000 through these two series, and an additional \$150,000 will be expended for costs of issuance of the bonds, which includes Peter Ross, the Financial Advisor, Quint & Thimmig, Bond Counsel, bond rating costs, trustee fees, miscellaneous fees, etc.

Motion

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

804-4
Issuance of
Waste Disposal
Refunding
Revenue Bonds,
2002 Series A
and B

RESOLUTION NO. 26,164:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE ISSUANCE OF WASTE DISPOSAL REFUNDING REVENUE BONDS, 2002 SERIES A (TAXABLE), AND THE ISSUANCE OF WASTE DISPOSAL REVENUE BONDS, 2002 SERIES B (TAX-EXEMPT), APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF A FIFTH SUPPLEMENTAL INDENTURE OF TRUST RELATING TO THE

2002 SERIES A BONDS AND APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF A SIXTH SUPPLEMENTAL INDENTURE OF TRUST RELATING TO THE 2002 SERIES B BONDS APPROVING THE FORM, AND AUTHORIZING DISTRIBUTION, OF AN OFFICIAL STATEMENT FOR USE IN CONNECTION WITH THE SALE OF SUCH BONDS AND AUTHORIZING OFFICIAL ACTION.

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.

701
804-3
PSA w/Charles
Walton for a
New Central
Library and
Expanded
Northwest
Library

Mr. Fuchs, Library Services Director, stated the purpose of this report is to secure Council approval of a Professional Services Agreement with Charles Walton Associates to provide conceptual and design planning services for a proposed new Central Library and for an expanded Northwest Branch Library.

He discussed the extensive series of planning and architectural steps required of applicants for construction grants available through the State's Library Bond Act, approved in 1999. He emphasized that the agreement and planning services involved do not commit the City to going forward with these two projects; but rather place the City in a position to be able to apply for a State grant next year, if we choose to do so. He added that this planning would also enable the City to determine what the community's needs are for library services in the next 20 years.

He discussed the competitive grant process which includes the submittal of a schematic design of the proposed building, noting successful applicants will be awarded with funding for two-thirds (65 percent) of the cost of construction of a new or expanded library facility. Since a local match of one-third (35 percent) of the funding is required, he stated such a decision would have to be made prior to application for the grant.

Mr. Fuchs stated that Charles Walton Associates AIA was previously selected by the City to design the new Buena Vista Branch Library, and the planning design process that the City followed included many of the planning steps that the State now requires for the competitive grant process. He added appropriated funds are available in the General Capital Project fund's \$1.5 million allocation for Fiscal Year 2001-2002 to cover the \$272,000 in planning costs, including \$164,000 for the design and conceptual plan for the new Central Library,

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and \$108,000 for the design and conceptual plan for the expanded Northwest Branch Library.

He concluded by stating that if the City chooses to apply for State grant funding in the future, it could result in a State grant of \$17,875,000 for a new Central Library and \$2,860,000 for an expanded Northwest Branch Library, and the planning funds expended could count towards the local matching fund requirement.

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

701
804-3
PSA w/Charles
Walton for a
New Central
Library and
Expanded
Northwest
Library

RESOLUTION NO. 26,165:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND CHARLES A. WALTON ASSOCIATES, AIA, INC.

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.

701
801-2
PSA w/Charles
Walton for
Central Library
Renovation to
Expand Children
Services Area

Mr. Fuchs, Library Services Director, discussed a proposed Professional Services Agreement with Charles Walton Associates AIA, Inc. for a renovation project to expand and enhance library services at the Central Library encompassing portions of the facility's second floor, including the former Warner Research Collection area, and portions of the first floor including the Reference Services area. He stated the proposed renovations include expansion of the Children's Services and Literacy Services areas and the construction of a computer training room for public and staff. He indicated the project is divided in two phases, with the current request for approval of the first phase requiring an appropriation of \$166,665 in Development Impact Fees.

He stated that Charles Walton Associates AIA was chosen to prepare schematic design and cost estimates for this project. He stated the architect's recommendations and resulting schematic floor plans were reviewed by Library staff, the Board

of Library Trustees, the City Manager and the Public Works Department.

He advised that the total cost of this renovation project, estimated to be \$401,941, included the architect's design fee in an amount not to exceed \$25,000, cost of the renovation estimated at \$338,250, and a contingency amount of \$38,691. He added that funds in the amount of \$235,276 in Development Impact Fees have already been appropriated, and that an additional \$166,665 in Development Impact Fees available for this project need to be appropriated.

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

701 RESOLUTION NO. 26,166:
 801-2 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 PSA w/Charles APPROVING A PROFESSIONAL SERVICES AGREEMENT
 Walton for BETWEEN THE CITY OF BURBANK AND CHARLES A. WALTON
 Central Library ASSOCIATES, AIA, INC. AMENDING THE FISCAL YEAR 2001-
 Renovation to 2002 BUDGET FOR THE RENOVATION AND EXPANSION OF
 Expand Children THE BURBANK CENTRAL LIBRARY.
 Services Area

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.

8:14 P.M. The Council recessed at this time. The meeting reconvened at
 Recess 8:25 p.m. with all members present.

201-2 The Council reviewed the Work Program items pertaining to
 Work Program the Park, Recreation and Community Services Department and
 Update (Park, Information Technology Department.
 Rec. & Mr. Flad, Park, Recreation and Community Services Director,
 Community Svcs discussed the areas covered by the Work Program including the
 and Info. Tech) Forestry Program, Senior and Human Services, the Art in Public
 Places Program, Youth Programs, Performing Arts Programs,
 Capital Projects, Grant Proposals for Capital Projects and the
 Transportation Program.

First, he addressed the following projects which have been completed: exceeded the goal to increase ridership in the Got Wheels Program; submitted for approval the Joint Use Agreement between the City and the Burbank Unified School District; planned and implemented the Youth Solutions Summit; evaluated the effectiveness of the Peace Builders Program; replaced the perimeter fencing at Stough Canyon and the Starlight Bowl with a durable product called woodcrete; secured sponsorships and provided meals for the needy at Thanksgiving and Christmas; attempted to achieve an average of 2,750 patrons during each show presented at the Starlight Bowl as this number maximizes the use of the facility; and, implemented a more efficient system of handling the receipts collected at Starlight Bowl performances pursuant to an audit recommendation by the Financial Services Department.

Next, he discussed the following projects which are in progress or on-going: construction of Compass Tree Park; removal of the old tram which runs near the ninth hole of the DeBell Golf Course and recycling the metal; continued the efforts to acquire property and grants for South San Fernando Park; expansion of the Youth Employment Programs; installation of play equipment at Mountain View Park; submission of a grant application for signage of the Verdugo Mountains hiking trails; and, submission of a proposal to the Santa Monica Mountains Conservancy for the construction of an overnight campground.

In conclusion, Mr. Flad discussed the following projects which have been delayed: establishment of a new target date for the completion of the skateboard facility at Valley Park of summer 2002; went back out to bid for the construction of the Joslyn Center billiard room expansion project and revised the target date for Request for Proposals for the roller hockey facility to March 2002.

Ms. Wyatt, Information Technology Director, reported on the Work Program items for the Information Technology Department.

She stated the goal of implementing Microsoft Office 2000 was complete as this will be done in conjunction with the next roll-out of computers during Fiscal Year 2002-2003, with a comprehensive training plan included. She stated they are testing new products and will select a vendor to help with the training. She added that they have established a P.C. User Group Forum to supplement outside vendor resources.

She reported that the assessment of projects and commitments is complete, they are currently working on some projects which have been around for some time, and have

expended a great deal of time prioritizing the remaining projects from a city-wide perspective since resources are needed to support these, and this process included the paring down the list of GIS projects which were manageable and funded for this fiscal year. She indicated their next step is to develop service level agreements with the individual departments using data gathered this fiscal year as their baseline.

Regarding a complete inventory of all computer hardware and software products, Ms. Wyatt stated that the data is being validated and a report prepared for the Information Systems Steering Committee to review.

She reported that a City-wide technology training plan has been completed which identifies common core training requirements for anyone required to use a computer within the scope of their employment with the City, identified regular refresher training which is linked to the roll-out of new technology, as well as supplemental training for new or transferred staff. She added that staff was working with the Management Services Department in developing an operational plan which will include documentation requirements and a potential link to the annual performance evaluation so that every staff person has a training record on file. She added that training delivery continues to be evaluated, that significant savings have been realized in training employees through a local school, and they will continue to evaluate training models.

She stated that a two-year strategic plan was developed in 1997 by the Warner Group, that they are working on an update to that existing plan and she anticipates moving forward with this project next month.

With regard to the development of comprehensive Information Technology Business Contingency Plan in support of emergency operations, she reported that since the terrorist attacks of September 11, 2001, this goal has become much more critical. She indicated a template has already been chosen and will be used to identify mission critical business functions and processes, risks and strategies to mitigate those processes.

Next, she gave an update relating to the Oracle applications as follows: staff has been successful in implementing solutions to many issues, their largest accomplishment was in the inventory module, where they worked with the Financial Services Department and Burbank Water and Power to resolve several major issues through its implementation. She stated

that although this item was originally designated to be sent to a consultant, staff was able to resolve it in-house. She reported that several User Manuals are now available on-line, and that the Oracle system is now considered stable and ready to move on to the next phase, the business needs assessment.

She addressed the goal of preparing a Request for Proposals for qualified vendors to provide recommendations for the currently unutilized Human Resources/Payroll System Budget System, and Work Order System by stating they are studying the business needs of the City, have distributed the RFP to 30 vendors, the vendor conference was held and they received 20 proposals. She discussed that the 20 proposals were reduced to 5 for oral presentations, the top candidate was presented to the Information Systems Steering Committee last week and will next discuss our intent and will negotiate with the vendor.

She added that if negotiations were not successful, they will move to the next qualified vendor, and that the process is critical to moving forward with the Oracle financial system as it will give us a status of where we are, how to move forward, interim steps required, estimated costs for hardware, what resources are needed and they will seek participation of every department in this effort.

404
201-2
Transfer of
Local Judge

Mrs. Wolfe, Administrative Analyst, reported that at the January 8, 2002 Council meeting, Mayor Kramer requested an update regarding the recent transfer of Judge Alan Kalkin from the Burbank Courthouse be agendaized for discussion.

Mayor Kramer stated he believes there are forces working against the best interest of Burbank with regard to court consolidation, that Judge Kalkin was transferred because he was sympathetic to Burbank's cause, and asked what we are doing to keep Glendale's criminal cases from being transferred to Burbank.

Mr. Ovrom discussed that the issue was being monitored, and that he and Mr. Barlow have met with Judge House, the new Supervising Judge. He reminded the Council that Judge Bascue made it clear that he would not solve Glendale's problem at Burbank's expense and that Glendale was working hard to solve the problems at the Glendale courthouse as they don't want to lose their courthouse. Mr. Ovrom stated everyone seems to be acting in very good faith, but will continue to meet with Judge House and will keep the Council updated.

The Council noted and filed the report.

- 706
Tree Trimming
Response Time
- Mr. Flad, Park, Recreation and Community Services Director, reported that the actual response for a request to trim a tree is between 9 months to 12 months. He discussed that while the forestry crew tries to touch every tree in the City every three years, there are about 35,000 trees in the City, and services include plantings, removals, emergency call-outs, and root pruning. He further explained that when a call comes in, the problem is initially assessed, and if it is determined that the problem is not a structural problem, the service call gets put on the list.
- Motion
- It was moved by Mr. Golonski, seconded by Ms. Murphy and carried that "a comprehensive report or a discussion paper be brought back before the regular budget process so we can understand the full extent of the process."
- Third Period of
Oral
Communication
- Mr. Kramer called for speakers for the third period of oral communications at this time.
- Citizen
Comment
- Appearing to comment were Mike Nolan, agreeing the tree trimming response time is too long, encouraging Council to take a field trip and see how the problems of Ficus trees are being addressed, that the tree wells are now bigger than the sidewalk, on the placement of flags in Magnolia Park and on the taxi stand removal issue which now must go before the Traffic & Transportation Committee; and Mark Barton, on the Measure A lawsuit, on a 17-minute tape on security at the Airport he has created, and editing it down to 3 minutes.
- Staff
Response
- Members of the Council and staff responded to questions raised.
- 301-2
Memorial
Adjournment
- There being no further business to come before the Council, the meeting was adjourned at 9:47 p.m. in memory of Jeffrey Nick Marckese.

Margarita Campos, City Clerk

APPROVED MARCH 26, 2002

Mayor of the Council
of the City of Burbank