

TUESDAY, MARCH 19, 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 5:02 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Murphy, Ramos and Laurell.
Absent - - - - Council Members None.
Also Present - Mr. Ovrom, City Manager; Ms. Alvord, Assistant City Manager;
Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

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

5:03 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.
- 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. Laurell, Mayor.

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Invocation	The invocation was given by Reverend Ron Degges, Little White Chapel.
Flag Salute	The pledge of allegiance to the flag was led by Ms. Alvord, Assistant City Manager.
ROLL CALL	
Present- - - -	Council Members Golonski, Laurell, Murphy, Ramos and Kramer.
Absent - - - -	Council Members None.
Also Present -	Mr. Ovrom, City Manager; Ms. Alvord, Assistant City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.
Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting.
First Period of Oral Communications	Mr. Laurell called for speakers for the first period of oral communications at this time.
Citizen Comment	Appearing to comment were Sandy Dennis who introduced Sally Hooper, Burbank On Parade President; Sally Hooper on Burbank On Parade being scheduled for April 27, that the theme is "A Salute to the Red, White and Blue in 2002" to honor our Nation, and expressing appreciation to the Council and staff for their continued support of this annual event; Gary Garrison, inquiring what the AMC Theater development will ultimately look like; Esther Espinoza, on racial diversity in the community and the City's hiring practices; and R. C. "Chappy" Czapiewski, distributing a letter making a Public Records Act request, on the Toluca Times articles presenting unbiased information, and on this paper being free and available throughout the City of Burbank.
Staff Response	Members of the Council and staff responded to questions raised.
Second Period of Oral Communications	Mr. Laurell called for speakers for the second period of oral communications at this time.
Citizen Comment	Appearing to comment were R. C. "Chappy" Czapiewski, opposing staff's recommendation not to videotape the town hall meetings, and presenting a Public Records Act request

with regard to Laer Pearce; Ted McConkey on receiving a negative response to his Public Records Act request, on information he obtained on Laer Pearce through the internet and on public meeting laws; Howard Rothenbach, opposing staff's recommendation on not videotaping town hall meetings, and expressing appreciation to Mr. Ovrom for the response to his concerns on the removal of trees and bushes along Interstate 5; David Piroli on the lack of clear consensus as to the scope of work for Laer Pearce, inquiring which closed session item was related to the hiring of Laer Pearce, and on lack of communication by the Council; and Esther Espinoza on the Council Member appointment, and expressing her opinion that town hall meetings are not productive.

Staff Response	Members of the Council and staff responded to questions raised.
7:19 P.M. Recess	The Council recessed to permit the Burbank Public Financing Authority to hold its meeting. The Council reconvened at 7:19 p.m. with all members present.
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 meetings of January 8 and January 15, 2002 were approved as submitted.
1301-3 2002 Sidewalk Repair Project (B.S. 1109)	<u>RESOLUTION NO. 26,208:</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 SIDEWALK REPAIR, BID SCHEDULE NO. 1109.
Adopted	The consent calendar was adopted by the following vote: Ayes: Council Members Golonski, Murphy, Ramos and Laurell. Noes: Council Members None. Absent: Council Members None.
1602-11	Ms. Teel, Administrative Analyst, reported the purpose of this

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Transferability
of Parking
Permits

report was to create a mechanism for transferable parking in residential zones and sought proposed changes to the Burbank Municipal Code pertaining to permit parking. Ms. Teel stated that staff recommended Council direct them to prepare the necessary Code revisions to designate the Traffic and Transportation Committee as the formal review body for all requests related to permit-only parking which require a public hearing process, with the Council retaining final authority via the appeals process. She added the second part of the recommendation proposes to consolidate what are currently separate residential and preferential parking programs into a single Preferential Permit Parking Program, and renaming the current residential, time-limited parking. She stated that time-limited parking is designed to balance the demands of the residents and businesses because it mitigates all-day employee parking but does not eliminate the opportunity for short-term customer parking which is important to adjacent businesses, and that this type of permit was not transferable. She stated the preferential parking would be designated with a red permit, that only permit holders would be authorized to park in these areas and that adjacent business owners would be eligible to apply for a limited number of these parking permits as preferential parking zones eliminate the opportunity for short-term parking and, for this reason, the permits are transferable.

Ms. Teel explained that the new Preferential Permit Parking Program would be comprised of a three-tier system: 1) a resident-sponsored petition, encompassing a change in progressive restrictions which begins at two-hours; 2) if after six months the residents felt that this limit was not mitigating the problem, the residents could petition again for a one-hour restriction; and, 3) after a period of six months, residents could petition for the most restrictive measure which is permit-only parking. She stated eligibility criterion for all requests would require 75 percent or greater parking impact for all users on all requests, and that commercial users would be limited to applying for 25 percent of the available parking, and that all of the permits would be transferable for all zones. She stated that permits for permit-only parking zones will be visually distinguishable from the time-limited permits for ease of enforcement, will be valid for one year, and that three permits per household will be issued automatically (with five being the maximum with proof of ownership of vehicles). In addition, she said another procedure was established to extend the hours of the permit-only parking zones, and is also initiated by a resident petition. She indicated a new provision allows for the removal of an existing zone via resident petition, which does not require any parking impacts, but rather requires 80 percent contact and two-thirds support by the residential dwelling units.

Motion

It was moved by Ms. Murphy and seconded by Mrs. Ramos that "the City Council direct staff to return with the necessary Burbank Municipal Code revisions to designate the Traffic & Transportation Committee as the formal review body for all requests related to preferential parking zones which require a public hearing process, and to consolidate the existing separate residential and preferential permit parking programs into a single preferential permit parking program, consisting of the following elements:

1. Resident-sponsored petition process.
2. Progressive restrictions (first, 2-Hour, then 1-Hour, and finally, Permit Only).
3. Minimum six-month waiting period between petitions.
4. Seventy-five percent parking impact eligibility criteria, for all users.
5. Commercial permits limited to not more than 25 percent of total available parking.
6. Transferable (hanging) permits, all users, all zones.
7. Visually distinctive permits for time-limited and permit only parking zones.
8. The same public hearing process required to establish permit only parking zones will be used for requests to extend the time period of existing permit only parking zones beyond the 8AM-6PM, Monday-Friday time period required to initially establish these zones.
9. A resident-sponsored petition process to allow residents to remove existing permit parking zones not sooner than one year after initial establishment."

Carried

The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

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Town Hall
Meetings

Mrs. Wolfe, Administrative Analyst, stated that on February 29, 2002, the Council directed staff to schedule three Town Hall meetings, that the first of these meetings would not be videotaped and subsequent to the meeting the Council would reconsider whether to tape either of the remaining two meetings. She stated that staff believes that the neighborhood Town Hall meetings can be an effective medium for capturing the opinions, concerns, and input from citizens who feel uncomfortable having their comments taped, that the Town Hall meetings are being held in addition to the regularly-scheduled Council meetings allowing those people who do

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wish to be videotaped to participate in oral communications during the regular Council meetings.

Motion It was moved by Ms. Murphy and seconded by Mrs. Ramos that "the City Council not tape for rebroadcast the second and third Town Hall Meetings and directed staff to proceed with the current schedule of events."

Carried The motion carried by the following vote:

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

7:46 P.M. Mrs. Ramos left the meeting at this time due to a conflict of
Mrs. Ramos Left interest with the following item.
the Meeting

405-1 Mr. Baker, Deputy City Planner, reported that at the Council
L.A. Equestrian meeting of March 12, 2002, proposed revisions to the letter to
Center Revised Los Angeles City Mayor Hahn were discussed which included
Letter to the encouragement to incorporate some specific language
Mayor of Los including a definition of "small non-equestrian events." He
Angeles stated that Council Member Golonski had reviewed the
proposed revision.

Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "Mayor Laurell be authorized to send the letter to Los Angeles City Mayor Hahn."

Carried The motion carried by the following vote:

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

7:49 P.M. Mrs. Ramos returned to the meeting at this time.
Mrs. Ramos Returned to the
Meeting

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Council Member
Appointment

Mrs. Campos stated that a vacancy on the City Council had occurred due to Mr. Kramer's resignation on February 25, 2002 and that Section 26 of the Charter provides that a vacancy in any elected office shall be filled by appointment of the Council within 30 days after the vacancy occurs, and if the Council fails to make such appointment within the 30-day period, then the vacancy shall be filled by the Mayor. She said that 23 individuals had submitted applications for the unexpired term which runs until May 1, 2003, that all applicants had been invited to attend the Council meeting for the purpose of making a 3-minute presentation and to answer questions from the Council, that 19 applicants had accepted the invitation and that one applicant had withdrawn from the process.

Mrs. Campos stated a random drawing of the applicants was conducted in the City Clerk's office on March 18th to select the order in which the applicants would appear for presentations and on the voting sheet. She noted that since there was one vacancy to fill, each Council Member was allowed one vote, and that if no applicant received a majority of the votes, then the top four applicants in the first round of voting would proceed into a second round, and the process would continue until the vacancy was filled. Mrs. Campos recommended that if the Council wished to make any changes in the voting procedure, that the process be clarified prior to any voting.

After Council discussion, it was decided that the applicants be asked to leave the Council Chamber during the interview process, that applicants be given the opportunity of having their three-minute presentation be either as an opening statement or a closing statement, and Mayor Laurell clarified that an applicant needs a majority of three votes for appointment.

8:03 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 8:06 p.m. with all members present.

Applicants appearing before the Council included: Gary Robert Bric, Elisabeth Handler, Jesse L. Byers, Lee Jay Dunayer, William Smith, Jef Vander Borcht and Philip Edward Berlin.

9:15 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 9:33 p.m. with all members present.

Council Member

Other applicants appearing before the Council included:

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Selected Michael J. Dontanville, Richard Joseph Irvin, Todd Frangella, Jason Eric Rawls, Howard Rothenbach, Paul Krekorian, Elizabeth Warner-Frank, Maxella Vangorder, Michael Bergfeld, Michael Porco and Michele Matthews.

Following a vote of the Council, Jef Vander Borght was appointed to fulfill the unexpired term of City Council Member until May 1, 2003.

11:42 P.M. Reconvene Burbank Public Financing Authority Meeting The Burbank Public Financing Authority meeting was reconvened at this time.

Third Period of Oral Communication Mr. Laurell called for speakers for the third period of oral communications at this time.

Citizen Comment Appearing to comment were Ryan Harlin, representing tenants of the Town Center Apartments across the street from McCambridge Park, on major construction going on without notification to the tenants, and citing safety concerns; Irma Loose, on a Public Records Act request, on the Framework for Settlement, on the 21st Century Plan, disagreeing with Ms. Murphy's statement that Ms. Murphy has worked for eight years on the airport issue; Eden Rosen, on the rate increases charged by Charter Communications, expressing a desire for the vacant stores along San Fernando Road in the Village to be developed, on vagrants sleeping in the doorways of these vacant buildings, on her speaking at the Library on April 3rd on the subject of caring for the cognitively impaired; Gary Bric, thanking the Council for the opportunity to apply, and congratulating Mr. Vander Borght; Paul Krekorian, congratulating all the candidates who applied for the Council Member vacancy, congratulating Mr. Vander Borght in particular and offering to be of assistance to him, and offering to stay involved and keep others involved; Tom Kaptain, expressing concern that no questions from Council to the Council Member applicants were about issues dealing with youth and the elderly, that the Council concentrated on the Airport too much, on the lack of development of future Council Members, on the perceived impropriety of hiring Mr. Kramer as a City employee and voting on City issues while he was in the application process; David Piroli, on never having

accused the Council of wanting an expanded Airport, on a newly-placed sign directing drivers to Interstate 5 incorrectly placed on Glenoaks Boulevard just before Brighton Street, and requesting that a STOP sign be removed at San Fernando Boulevard and Winona Avenue; and Mike Nolan, on staff being allowed to leave the Council meeting prior to the third period of Oral Communications, and inquiring whether the Council members have checked out his concerns with parkway trees on Angeleno Avenue.

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 12:18 a.m.

Margarita Campos, City Clerk

APPROVED MAY 7, 2002

Mayor of the Council
of the City of Burbank