

TUESDAY, MARCH 26, 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. Laurell, Mayor.

CLOSED SESSION

Present- - - - Council Members Murphy, Ramos and Laurell.
Absent - - - - Council Member Golonski.
Also Present - Mr. Ovrom, 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.

5:02 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:** Communities for A Better Environment v. City of Burbank
Case No.: CV 92092921 DT
Brief description and nature of case: Alleged violations of Clean Air Act.
 4. **Name of Case:** McMurray v. City of Burbank
Case No.: BC247304
Brief description and nature of case: Employment Discrimination Allegations.

- 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 6:41 p.m. by Mr. Laurell, Mayor.

Invocation The invocation was given by Dr. Jerry Jones, Burbank Community Church.

Flag Salute The pledge of allegiance to the flag was led by Mr. Feng, Public Works Director.

ROLL CALL

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

301-1 Swearing in of New Council Member Mrs. Campos, City Clerk, administered the oath of office to Mr. Vander Borght who then introduced his wife Susan, daughters Jill and Kary, and other members of his family and friends in attendance, and thanked the Council Members for their support and for the opportunity to serve the citizens of Burbank.

301-1 Cesar Chavez Day A proclamation in honor of Cesar Chavez Day was presented by Mayor Laurell to John Brady, President of the Burbank Human Relations Council, and Victor Griego, member of the Governor’s Commission on Service, who commended Burbank for being the first city in California to proclaim Cesar Chavez Day.

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 Commissioner Bill Wiggins reported on the Airport

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Airport Authority Meeting Authority meeting of March 21, 2002. He noted the following items which were before the Authority for approval: minutes of the March 4, 2002 meeting; relocation of the service road adjacent to Taxiway C 15 feet to the south; re-bidding of two modules for acoustical treatment due to a clerical error by the low bidder; and two changes to the Acoustical Program Handbook, one dealing with hazardous conditions found by contractors, and the other requiring tenant access agreements for the multi-family units that the contractors will be working in.

The Council received the report.

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 Gary Garrison, on traffic signals at various locations not working properly when pedestrians push the button to cross; Frank Kaden, in opposition to providing financial assistance to the Burbank Unified School District; Esther Espinoza, on diversity on the City Council; Howard Rothenbach, congratulating Mr. Vander Borcht on his appointment, requesting the Airport Commissioner making the report to the Council remain in the Council Chamber until after Oral Communications, and inquiring as to the claim on the McMurray lawsuit listed on the closed session agenda; and Mark Barton, on men starting the League of Men Voters.

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 John Husky, President of Meta Housing Corporation, indicating he has been working with City staff on the Senior Artists Colony project, offering to answer any questions the Council may have on this project, and stating they have achieved momentum on this project recently; Esther Espinoza, on the Toyota Lease Agreement, opposing the Burbank Senior Artists Colony project, and commenting on the Airport Commissioner report; Ted McConkey, on the Burbank

Senior Artists Colony being vastly different than the original project and expounding on the differences, and requesting that this project be returned to the Planning Board giving the public an opportunity to address the changes before it comes back before the Council; C.L. Stack, on traffic congestion in the Airport area and requesting the Council solidify their position on the Airport expansion; Frank Kaden, on the process of filling vacancies on the Council by appointment and suggesting that in the future the vacancy be filled by appointing the runner-up in the last election; Irma Loose, congratulating Mr. Vander Borgh and encouraging him to vote in the best interests of the people, expressing hope that he will return the trust of the people to the Council, and requesting that Mr. Vander Borgh state his position on the Declaratory Relief lawsuit;

Mark Barton, on the issuance of the government's new security codes, and supporting the City's lease of Toyota electric vehicles; Theresa Karam, welcoming Mr. Vander Borgh and expressing hope that he will do what's best for Burbank, on Mr. Nolan being escorted out of the Council meeting last week for applauding at an inappropriate time, on her opinion that applauding is not disruptive behavior, on Mr. Rogers' articles being slanderous and doing damage in the community; David Piroli, welcoming Mr. Vander Borgh, inquiring why the swearing in of the new Council Member was not an agenda item, and supporting an election to fill Council vacancies; Howard Rothenbach, inquiring as to the basis of employment discrimination in the McMurray case listed on the closed session agenda, and requesting that the Airport Commissioner be asked to remain in the Chambers until after Oral Communications to address possible questions on Airport matters, on the Burbank Senior Artists Colony project, on the lack of affordable housing for low and moderate income families and the City not building housing for them but rather continuing to build additional senior housing; and Mike Nolan, opposing the Burbank Senior Artists Colony project, on damaged sidewalks in the City and Mr. Laurell's willingness to wait seven years for the repairs to be made, on members of the audience laughing during the Council Member interviews last week, and on his being removed from the Council meeting of the previous week for disruptive behavior.

Staff
Response

Members of the Council and staff responded to questions raised.

Jt. Mtg. with
Redevelopment

Mayor Laurell announced that Mrs. Georgino, Community Development Director, requested that this item be continued

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Agency
1702
1102
Senior Artists
Colony (PD
2000-1)

for one week.

Motion

It was moved by Ms. Murphy, seconded by Mr. Golonski and carried that "this item be postponed for one week."

8:07 P.M.
Recess

The Council recessed to permit the Housing Authority to hold its meeting. The Council reconvened at 8:11 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 22 and January 29, 2002 were approved as submitted.

1301-3
703
George Izay Park
Restroom
Project
(B.S. 1112)

RESOLUTION NO. 26,209:
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 GEORGE IZAY PARK RESTROOM FACILITY PROJECT, BID SCHEDULE NO. 1112.

804-3
404
Grant from L.A.
County for S.
San Fernando
Park Project

RESOLUTION NO. 26,210:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT PROGRAM FOR THE SOUTH SAN FERNANDO PARK PROJECT.

1601
804-3
Three-year Lease
With Toyota

RESOLUTION NO. 26,211:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A THREE-YEAR LEASE AGREEMENT WITH TOYOTA MOTOR SALES, INC. AND AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT FUNDS FROM THE CALIFORNIA AIR RESOURCES BOARD.

1205-2 RESOLUTION NO. 26,212:
 Public Service A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 Easement ORDERING THE SUMMARY VACATION OF A PUBLIC SERVICE
 (V-344) EASEMENT EXTENDING PARALLEL TO ONTARIO AND
 FAIRVIEW STREETS, BURBANK, CALIFORNIA (V-344).

Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander
 Borght (except for the minutes) and Laurell.
 Noes: Council Members None.
 Absent: Council Members None.

305 Mr. Flad, Park, Recreation, and Community Services Director,
 Summer Film stated the purpose of this report was to request Council
 Series In Lieu of approval of a co-sponsorship with the Media City Center
 Kid's Spirit Fun Summer Film Series in lieu of the Kid's Spirit Fun Run, and the
 Run reallocation of \$9,500 previously appropriated for the Fun Run.

Mr. Warren Chaumont, Marketing Director for Media City Center, stated they decided to have the film series replace the Fun Run to give the Burbank community the opportunity for adults and children to see films, go to dinner and socialize with their neighbors for a six-week period rather than just a one-day event, and that the requested event also gives retailers six-weeks exposure to the participating families. Mr. Chaumont indicated there was a fundraising arm to the Fun Run which will be replaced with a Cash Back for Schools Program so the schools benefit with the same amount of money as given last year, explaining that in the previous year they raised \$15,500 and the Media City Center had already allocated the same amount of money to participating schools for this year.

Ms. Katie Mason, Event Planner, was also present to answer questions. Ms. Mason stated the Run had 800 participants, and they anticipated that the film series program can accommodate as many as 1500 participants. Ms. Mason indicated that this decision was a marketing decision made due to the expense and administrative efforts required to coordinate the one-day Run. Mr. Flad added that the Park, Recreation and Community Services Department wanted to avail themselves of the opportunity to cross-market for the Starlight Bowl.

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- Motion It was moved by Ms. Murphy and seconded by Mr. Vander Borght that "the City Council reappropriate the funds necessary for the co-sponsorship partnership with the Media City Center to host the Summer Film Series in lieu of the Annual Kid's Spirit Fun Run."
- Carried The motion carried by the following vote:
- Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.
 Noes: Council Members None.
 Absent: Council Members None.
- 1602-8
Electric Vehicle
Parking
Restrictions Mr. Barlow reported that former Mayor Kramer directed staff to look into providing a restriction prohibiting non-electric vehicles from parking in spots designated specifically for electric vehicles, and stated staff recommended the Council consider adopting an ordinance providing this restriction.
- Motion It was moved by Ms. Murphy and seconded by Mr. Vander Borght that "the City Attorney be instructed to prepare an ordinance restricting parking of non-electric vehicles in spots specially designated for electric vehicles, and directed staff to conduct a survey to determine how often these spaces are used by electric vehicles."
- Carried The motion carried by the following vote:
- Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.
 Noes: Council Members None.
 Absent: Council Members None.
- 8:26 P.M.
Reconvene
Redev. Agency
and Housing
Authority
Meetings The Redevelopment Agency and Housing Authority meetings were 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 Ted McConkey, in support of a Charter Review Committee, requesting that such committee not be limited to just one issue but that they do a complete

review of the entire Charter, that the committee be comprised of all the stakeholders in the City who would then form sub-committees, hold public hearings, and take input from the public before making recommendations; Irma Loose, apologizing to Mrs. Murphy for her previous remarks about the eight years of working on resolution of airport issues, on open meeting laws, and presenting a Public Records Act request for the total cost of the 21st Century Plan, Measure B and the costs of the special election for Measure A; Eden Rosen, expressing frustration about her inability to reach Charter Communications for service; Tom Kaptain, on involving the Council Member applicants in other City activities, and on registered lobbyists promoting key projects; David Piroli, on a previous speaker addressing an agenda item, and in support of Charter review; and Mike Nolan, on his request for the Council to inspect sidewalk damage in Magnolia Park, including in front of the Board of Realtors building, on the results of the City's program to protect trees and their continuing to remove concrete which results in extremely large tree wells in certain areas, and on such areas creating potential liability for the City.

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 8:54 p.m. to Thursday, March 28, 2002 at 7:00 p.m. for a Town Hall Meeting at Jordan Middle School, 420 South Mariposa Street.

Margarita Campos, City Clerk

APPROVED MAY 7, 2002

Mayor of the Council
of the City of Burbank