

TUESDAY, APRIL 9, 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 5:07 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Murphy, Ramos (arrived at 5:08 p.m.), Vander Borcht 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 Mayor Laurell called for oral communications on Closed Session matters at this time.

Citizen Comment Appearing to comment was Marie Paino, inquiring about what is happening on Grismer Avenue and what this development will do to property values in the neighborhood, and inquiring as to the status of the drug rehabilitation facility on Grinnell Drive.

5:10 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 Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan Georgino
Property: The bikeway project extends from Mariposa Street west to City limits at Clybourn. The right-of-way is approximately 36 feet wide down the center of Chandler Boulevard.
Parties with Whom City is Negotiating: Metropolitan Transportation Authority – Bill Saticoy.
Terms Under Negotiation: Long term agreement with Metropolitan Transportation Authority for bikeway price.
- b. Public Employee Performance Evaluation:
Pursuant to Govt. Code §54957
Title of Employee's Position: City Manager.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:44 p.m. by Mr. Laurell, Mayor.

4/9/02

Invocation The invocation was given by Rabbi Mervin Tomsky, Temple Emanuel of Burbank.

Flag Salute The pledge of allegiance to the flag was led by Carolyn Berlin, representing the Burbank Human Relations Council.

ROLL CALL

Present- - - - Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.

Absent - - - - Council Members None.

Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1
International
Building Safety
Week Mayor Laurell presented a proclamation in honor of International Building Safety Week to Charles Johnson, Chair, and Tim Behunin, Ken San Miguel and Robert Mills, Members of the Board of Building and Fire Code, Building Official John Cheng, Deputy Building Official Rick Becker, and Captain Craig Canfield of the Burbank Fire Department.

301-1
Days of
Remembrance Mayor Laurell presented a proclamation in honor of the Days of Remembrance to Mrs. Sylvia Sutton, Coordinator of the Burbank Days of Remembrance of the Holocaust, a national commemoration established by the United States Congress.

Ms. Sutton, Burbank Human Relations Council Member and Liaison to the United States Holocaust Memorial Council, discussed that this event was being celebrated this week throughout the United States and thanked the City of Burbank for their participation in this special event. Mr. Brady, President of the Burbank Human Relations Council, commended the courageous people who, at great risk to themselves, helped the Jewish people escape persecution.

Helen Tomsky, representing the Burbank Human Relations Council, introduced the following Holocaust survivors, who shared their Holocaust stories with the community, and each lit a candle on the memorial candelabra in memory of their family, friends and all those who perished as a result of the planned exterminations and ethnic cleansings: Ebi Gabor, Jenó Gabor, Susan Ziemer-Brender, Betty Daniel (representing Carol Relich), Kurt Bronner, Bent Lemo, and Rudy Diaz.

Cantor Teri Stansfield concluded the program with a musical presentation of Ani Ma'amin (I Believe).

7:13 P.M.
Recess The Council recessed at this time. The meeting reconvened at 7:16 p.m. with all members present.

Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council, Redevelopment Agency and Housing Authority during the Closed Session meetings.
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 Natalie Middleton, Administrator of the Media Dance Arts Center, expressing concern about male strippers performing at the Gitana Club on Magnolia Boulevard; Peter Froelich, Assistant Water Polo Coach at Burbank High School, expressing concern with having to share aquatics facilities with Burroughs High School in the coming year, adding that the School Board was of no assistance to them and requesting assistance from the City Council; John Abdou, Head Water Polo Coach at Burbank High School, expressing problems with the sharing of facilities between Burbank and Burroughs High Schools, referencing many problems which are outlined in a letter he submitted to the Council, and requesting the use of the McCambridge Park swimming pool; and Esther Espinoza, expressing disagreement with the Days of Remembrance presentation in the Council Chamber, and commenting on racial diversity in general.
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 Eden Rosen, on the formation of the Blue Ribbon Task Force, objecting to including only two tenants both of whom are from the Section 8 Program, requesting the placement of a "market value" tenant on the task force, inquiring the exact function of the Vector Control District, and relating a negative experience she had with this agency since they do not remove bees or hives from structures; Esther Espinoza, on the lack of affordable housing being neglected while the City continues to build senior housing, on the Council Member liaisons to boards and commissions; Theresa Karam, on the importance of Charter amendments,

4/9/02

supporting a change in the Charter to include an elected Mayor and full-time Council Members; C. L. Stack, advocating changes in the City Charter to provide for full-time Council Members; and Mark Barton, on the public needing information on how to handle killer bees.

Staff
Response

Members of the Council and staff responded to questions raised.

7:49 P.M.
Jt. Mtg. with
Redev. Agency
203
906
Formation of
Blue Ribbon
Task Force on
Affordable
Housing

Mr. Solomon, Housing Development Manager, stated the purpose of this report is to put forth recommendations for the composition of a blue ribbon task force on affordable housing, that the Council and Agency previously indicated it had become increasingly evident that added public participation would prove beneficial and that a task force serving as a conduit for public comment would be a valuable resource for providing recommendations on future programs for affordable housing. Mr. Solomon added that it was important to recognize that the task force will need to meet frequently and act quickly and, for this reason, staff's recommendation included a list of entities whose representatives could serve on the task force.

Mr. Solomon discussed the proposed task force's immediate agenda as follows: consideration of an inclusionary housing or zoning ordinance; implementation of a multifamily debt buy-down program; revisions to the Agency's Mortgage Assistance Program; several matters related to modulating excessive rent hikes; and research into a Department of Housing and Urban Development foreclosure program for local homeownership opportunities.

Mrs. Ramos recommended staff contact the faith-based organizations and the Burbank Human Relations Council for participation and Mrs. Georgino stated they will be included in the process but not as members, to which Mrs. Ramos agreed.

Motion

It was moved by Mr. Golonski and seconded by Mrs. Ramos that "staff be directed to establish a task force charged only with affordable housing issues and to include the representatives recommended by staff with the following additions: two market rate renters recommended by the Landlord Tenant Commission, one representative from the Planning Board, and one representative from the Senior Board."

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.

913
 Municipal Storm
 Water National
 Pollutant
 Discharge Elim.
 System Permit
 Renewal

Mrs. Teaford, Chief Assistant Public Works Director/City Engineer, presented a brief background on the permit issued by the Water Quality Control Board which covers all of the storm water discharges and urban runoff that flow from the City as follows: the new permit is an outgrowth of the Clean Water Act passed by Congress in 1972; the 1987 amendments to the Clean Water Act mandated National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from municipal stormdrain systems; the first permit was issued by the Los Angeles Regional Water Quality Control Board in 1990 to Burbank, and included all the incorporated cities within Los Angeles County as well as the County itself; this permit was a five-year permit which was renewed in 1996, and the requirements became more involved; and the current permit was renewed in 2001 which went from a 60-page permit to a 140-page permit with numerous requirements, deadlines, and increasingly stringent provisions. Mrs. Teaford added that the new permit requires that several programs be developed or expanded.

Mrs. Teaford presented a series of slides illustrating how the City will comply with the new permit, adding that the City was now required to implement an industrial/commercial education, inspection and enforcement program, development planning and construction, various public agency activities which includes among other things stormdrain operation and management, trash and litter control and catch basin cleaning, transit stops, illicit connection/illicit discharge elimination and monitoring and reporting.

The City Council noted and filed the report.

414
 Vector Control
 Authority

Mr. Barlow reported that former Mayor Kramer received a sample ordinance from the Vector Control District prior to his resignation which would give the City the power to enter private property to eliminate public nuisances, including africanized honeybees. Mr. Barlow stated staff reviewed the sample ordinance and recommends the inclusion of an administrative warrant in the provisions, as is done in the City's current public nuisance ordinance.

4/9/02

Motion It was moved by Mrs. Murphy and seconded by Mr. Golonski that "staff be directed to prepare an ordinance which includes a provision for an administrative warrant."

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.

201
205-1
Filling Vacancies
Of Elected
Officials/Charter
Review

Mr. Barlow reported that recently the Council had the opportunity to fill the vacant positions of City Clerk and City Council Member, and the concern was expressed that the Charter provides that the filling of those vacancies occurs by Council appointment for the unexpired term, and stated that there are a variety of options used by different jurisdictions in filling vacancies. He stated that it was relatively common that some opportunity for an election is provided in various charters, oftentimes indicating that if the vacancy is for a period of less than two years it be filled by appointment, and if the term is for more than two years it be filled by conducting an election, and sometimes calling for the Council to make the decision as to whether to fill the vacancy by appointment or election.

Mr. Barlow also noted that a suggestion was made that the Council may want to conduct a broader review of the Charter which can be done by appointing a Charter Commission, ordering the election of a Charter Commission, or direct that a staff-level review be made of the Charter.

After Council discussion, staff was directed to advertise for members of a Charter Review Committee comprised of 11 members, charged with preparation of a ballot measure on filling vacancies of Elected Officials as well as overall review of the Charter, and specifically solicit applications from the candidates for the recent Council Member vacancy.

201-2
City Council
Liaisons to
Committees/
Task Forces/

Mrs. Wolfe, Administrative Analyst, stated the Council Liaisons to Committees List is reviewed from time to time for the purpose of updating representation and staff recommends updating the current list due to the resignation of Mr. Kramer.

Boards

After Council deliberation, the following changes were made: added Mrs. Ramos as the representative to the Arroyo Verdugo Subregion of SCAG Community Development and Housing Policy Committee; replaced Mr. Kramer with Mr. Vander Borcht on the Public Information Office Advisory Committee; replaced Mr. Kramer with Mr. Vander Borcht on the Audit Committee; replaced Mr. Kramer with Mr. Vander Borcht on Real Estate Negotiations Auto Dealers – Zero Site; replaced Mr. Kramer with Mr. Vander Borcht on Real Estate Negotiations AMC Phase 2; removed Center Trust Renegotiations; replaced Mr. Kramer with Mr. Vander Borcht on Peyton-Grismer Neighborhood Revitalization; replaced Mr. Kramer with Mr. Vander Borcht on the Environmental Oversight Committee; removed Liaisons to Airport Commissioners; replaced Mr. Kramer with Mr. Vander Borcht on Liaisons to Magnolia Park Citizens Advisory Committee; replaced Mr. Kramer with Mr. Vander Borcht on the New Municipal Services Building Advisory Committee; replaced Mr. Kramer with Mr. Vander Borcht on the Burbank Water and Power Board; replaced Mr. Kramer with Mr. Vander Borcht on the Opportunity Site 6B Committee; appointed Ms. Murphy and Mr. Golonski to the Airport Subcommittee; appointed Mr. Laurell and Mrs. Ramos to the Sister City Committee; and appointed Mr. Laurell to the Runaway Production Committee.

In addition, Council directed staff to coordinate a presentation to the Council by the Economic Alliance and requested a status report on the Child Care Demonstration Project.

9:08 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Third Period of
Oral
Communication
Citizen
Comment

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

Appearing to comment were Geoffrey Rolat, expressing outrage at the vile language and racism expressed by Mrs. Espinoza and inquiring whether the Council can curtail her behavior; Eden Rosen, on capping rents by taxing landlords for rent increases, opposing the Landlord Tenant Commission recommending members to the Blue Ribbon Task Force on Affordable Housing, and suggesting the Council appoint single tenants; Mark Barton, on airport security and his belief that what motivates terrorism is our reliance on foreign oil; Howard

4/9/02

Rothenbach, commending a previous speaker for voicing his opinion against Mrs. Espinoza's racist remarks, suggesting a Council Member speak with Mrs. Espinoza privately to deal with her issues, and inquiring on the status of the returned ballots from the Measure A election; and Mike Nolan, reporting on the status of the intervenor case, stating they are now dealing with a third judge as they go through preliminary filing, stating that he plans to question the legality of the lawsuit filed by the Council and the constitutionality of Measure A, and expressing gratitude to Mr. Barlow's office for their assistance with the process.

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 9:35 p.m. to Thursday, April 11, 2002 at 7:00 p.m. for a Town Hall Meeting at Luther Burbank Middle School, 3700 Jeffries Avenue.

Margarita Campos, City Clerk

APPROVED MAY 21, 2002

Mayor of the Council
of the City of Burbank