

TUESDAY, JUNE 18, 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 Murphy, Ramos, Vander Borgh and Laurell.  
Absent - - - - Council Member Golonski.  
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, requesting a shuttle bus to service the Burbank Empire Center, as even the distance from the regular MTA bus stop to the Empire Center is very far to walk. Council and staff responded that this has been investigated but it was found that power centers are by their nature car-oriented as people tend to make numerous purchases which are not easily carried on public transportation.

5:11 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. L2001-110412  
**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:** Karam v. City, et al.  
**Case No.:** 01-00694(RSWL)  
**Brief description and nature of case:** Alleged Civil Rights Violations.
- 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**

d. Conference with Labor Negotiator:  
Pursuant to Govt. Code §54957  
**Agency Negotiator:** Management Services Director/John Nicoll  
**Employee Organization:** Burbank Management Association.  
**Terms Under Negotiation:** Contracts for Fiscal Year 2002-2003.

Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:35 p.m. by Mr. Laurell, Mayor.

Invocation      The invocation was given by Council Member Ramos.

Flag Salute      The pledge of allegiance to the flag was led by Kristen Mackey, a graduate of the CREST Youth Employment Program.

ROLL CALL

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

Absent - - -      Council Members None.

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

301-1 CREST Youth Employment Program Participants      Ms. Embree, Administrative Assistant, acknowledged the Spring graduates of the CREST Youth Employment Program, and specifically Jalal Sinjer and Christopher Marquez who, in addition to completing the CREST Program, graduated from high school. Brynn Larsen, program participant, expressed appreciation for the opportunity the program has afforded her, and Ms. Embree then invited Mayor Laurell to distribute certificates to the following graduates of the program: Kristen Mackey, Brynn Larsen, Travis Hale, Lusine Artyunyan, Jennifer Karr, Jalal Sinjer, Bryan Gray, Sasan Barmaki and Christopher Marquez.

Reporting on      Mr. Barlow reported on the items considered by the City

Closed Session	Council and Redevelopment Agency during the Closed Session meetings.
406 Airport Authority Meeting Report	<p>Airport Commissioner Wiggins reported on the Airport Authority meeting of June 17, 2002. He began by giving his work telephone number (323-245-4951) for anyone wishing to speak with him or ask him questions regarding the Airport.</p> <p>Mr. Wiggins noted that in addition to the approval of the minutes, the Authority awarded a purchase order for runway friction testing equipment in the amount of \$69,000; awarded two bid schedules for the residential acoustical treatment program which included 41 houses in Burbank, 18 houses in Sun Valley, and one house in North Hollywood; adopted a Negative Declaration for the passenger terminal security enhancement project; was briefed on a five-year facility improvement program; and was given an update on the success of the residential acoustical treatment program, and mentioned that out of 1146 homes in the impact area there are only 295 that have not signed up for the process. Mr. Wiggins stated the Authority also met in closed session, and reported they are entering into escrow for the Building 360 Site in Los Angeles with Voit Acquisition Company, LLC, who is purchasing the land for \$16.25 million. In conclusion, he reported the Authority was pleased to receive a response from United Airlines informing the Authority that they have rescheduled their 6:16 a.m. Denver flight to 6:26 a.m., and their San Francisco flight previously scheduled for 6:30 a.m. has been rescheduled to 7:00 a.m.</p>
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 R. C. "Chappy" Czapiewski, thanking those who prayed for him while he was undergoing chemotherapy, commending a group of citizens who have been meeting and attending the noise variance hearing, and submitting an article to the Council; and Mark Barton, showing a drawing of the 5-points intersection and speaking about traffic flow in the area during a power outage.
Staff Response	Members of the Council and staff responded to questions raised.

6/18/02

Second Period Mr. Laurell called for speakers for the second period of oral  
of  
Oral  
Communications

Citizen Comment

Appearing to comment were Robert Magid, on the Town Hall meetings being a waste of money, in support of after-school care programs, on the Burbank Unified School District (BUSD) not being responsible and the need for an independent audit of the BUSD before the City gives them more money; R. C. "Chappy" Czapiewski, commending Ted McConkey, Margie Gee, Don Elsmore, Stan Hyman and Howard Rothenbach for attending the variance hearings, on the Los Angeles Times article he submitted about Navy flyers' missions, on the SCA Viking airplane being created in Burbank, stating his opinion that by the City requesting the Measure A hearing be expedited, they have acted against the intent of Measure A; Howard Rothenbach, on Commissioner Wiggins not addressing the flight increase of 48 operations per week and the noise impact area increase by 19.3 acres, that American Airlines wants to fly 14 additional MD80 aircraft and increase the noise impact area by 5.6 acres, on the June 19 meeting at the Airport on the security enhancement project, inquiring why the City did not submit written comments to the Airport's Negative Declaration, nor oral comments yesterday, inquiring as to the formation of the Airport Outreach Plan, inquiring whether this was the public relations firm's idea, whether the City has discussed it with the Airport, how much has been spent on it, and if the plan makes it to the ballot, at what point does payment to the public relations firm for this work go from an educational purpose to advocacy for such an initiative;

Celeste Francis, on an article in the Los Angeles Times regarding the City of Los Angeles being interested in having representation on the Airport Authority, in opposition to this idea, inquiring if secession happens, what would happen to such representation and how secession would impact Burbank; Christopher Barnes, on concern about the Airport Outreach Plan as a resident of Los Angeles and member of the Studio City Residents Association, concerned about it looking like the failed Framework Agreement which was developed without sufficient input from many of the stakeholders, questioning the rush to get a measure on the November ballot, stating the Part 161 Study is moving into its next phase and inquiring why the Airport Outreach Plan is necessary at this time, and on his concern with security matters being used as a pretext for pet projects that are going to get done, on his opinion that some of the security enhancements are directly related to terminal

expansion; David Piroli, on the Airport Outreach Plan and the rules for oral comments at the meetings being unreasonable, that an outside facilitator will run the meetings, on the Council's request to receive input from the community, rather than going through the Outreach Committee, and on the purpose of Brown Act Committees in general; Mark Barton, in opposition to the oral communications rules at the Airport Outreach meetings, on the City Code making it impossible to create beautiful things, on the proposed tent and canopy ordinance, on the Texas open policy on designs; Dr. Theresa Karam, on the Airport Outreach Committee meetings allowing only 30 minutes of public comment, and requesting that the oral communications period be increased; Mike Nolan, on the Council voting to sue before Measure A votes had been counted, on the Outreach Plan being implemented two days before the scheduled Measure A hearing of June 26, and on Measure A being the law;

Ron Vanderford, reading from a Saturday article in the Los Angeles Times about flights from airports, including Burbank, comparing Burbank Airport with Lindberg Field in San Diego, who has three times the number of passengers Burbank has because they serve the mid-west, on the potential for Burbank to begin service to the midwest in the future, stating his opinion that the Outreach Plan is another way for the City to advocate terminal expansion without any restrictions on flights and noise, stating his opinion that Mr. Golonski killed the 21<sup>st</sup> Century Plan with his Framework for Settlement just as he did with Measure A, on Mr. Golonski's political aspirations and where he will get future support to further his political ambitions; and C.L. Stack, in opposition to the 30-minute limit on oral communications during Airport Outreach Committee meetings.

Staff  
Response

Members of the Council and staff responded to questions raised.

Jt. Mtg. with  
Redev. Agency,  
Housing Auth.,  
Parking Auth.,  
And YES Fund  
Board  
801-2  
804-2  
Adoption of  
2002-03 Budget

Mrs. Sarquiz, Deputy Financial Services Director, began by stating the proposed balanced budget, with the proposed sources of funds, totals \$456,564,819, and proposed appropriations total \$450,549,774. She noted that pursuant to the City Charter, the Council received public comments on the proposed budget at the June 11, 2002 Public Hearing and also provided direction to staff as to what should be incorporated into the annual budget before the Council for adoption.

Mrs. Sarquiz summarized that Departments requesting funding

for items not funded during the regular budget process prepared Discussion Papers, that a total of 19 Discussion Papers were presented to the Council and, pursuant to Council direction, seven Discussion Paper items have been incorporated into the budget which total \$645,255, of which \$568,828 will be funded by the General Fund, and \$76,427 will be funded by the Street Lighting and Maintenance Fund. She reminded the Council that at the June 11, 2002 Council meeting, several citizens requested Council consideration of funding the Discussion Paper items relating to interior art and plants for the Buena Vista Branch Library, and following discussion, the Library Services Department was directed to return to the Council with a report subsequent to the budget adoption detailing a more in-depth presentation of the items, with various funding options.

Next, she noted the Citywide Fee Schedule had also been discussed and, after reviewing some of the proposed rate increases, the Council directed staff to provide additional details on all proposed fee increases over 15 percent, and, pursuant to such direction, the Departments had prepared the appropriate justification for such fee increases. She informed the Council that \$13,000 from the proposed Group Picnic Fee increase in the Park & Recreation Section is tied to two positions, a Recreation Program Leader and a Work Trainee, and any reduction to this proposed fee increase will have an adverse impact on the General Fund.

Mrs. Sarquiz reminded the Council that the struggling California economy posed a high degree of economic uncertainty as preparations began for the City's FY 2002-03 Budget, that the State's projected budget deficit has grown to \$23.6 billion and, based on the Governor's May Revised Budget, the City is projected to suffer a loss of \$338,294 and the Redevelopment Agency is projected to suffer a loss of \$745,839. Additionally, Mrs. Sarquiz stated that due to this lingering State budget crisis, the City has charted a prudent course of action which will allow the City to be more adequately prepared to handle the additional cuts which may come from the State after the November election, while at the same time allowing the City to embark upon the new fiscal year with new programs and services in place. Mrs. Sarquiz concluded by informing the Council that, based upon the proposed budget, including the addition of the seven Discussion Paper items, factoring the potential loss of revenues from the State, and augmenting the recurring fund balance with \$100,000 and the non-recurring fund balance with \$70,000 from the Utility Users Tax and In-Lieu designated reserve accounts, the projected recurring fund balance approximates \$57,027 and the projected non-recurring fund

balance approximates \$5,619, and after releasing both the \$100,000 recurring and \$70,000 non-recurring funds from the designated account reserves, there is approximately \$2.23 million still available, and there is projected to be another \$2.4 million by June 30, 2003.

Mrs. Sarquiz added that the professional services agreement listing has been revised and a request for \$20,000 for writing services for the City Manager's Office will be removed from the list.

With regard to fee justifications, Mr. Golonski expressed appreciation to the staff for responding to this request so quickly. In response to Mr. Golonski's inquiry about the increase in group picnic permit fees, Mr. Flad responded that Burbank's fee has not been increased since its inception, and is significantly lower than Glendale's fees, which impacts Burbank's facilities. He stated that this fee increase is tied to two positions with picnic reservations requiring a full time clerical position.

With regard to questions by Mr. Golonski on Burbank Water & Power's (BWP) new service connection fee increases, Fred Lantz, Assistant General Manager BWP/Water Systems, responded that Burbank's fees are comparable to surrounding cities, that there was a \$4 million positive change in retained earnings, and that there was a change in accounting practices at the City. After discussion, Council directed staff to remove these fee increases from the Fee Resolution, and bring back a more thorough explanation of the increase for further consideration, including a comparison of Burbank's rates with those of surrounding cities.

In response to a question by Mr. Golonski, JoAnn Fletcher, Burbank Water and Power Manager/Customer Service, stated the \$50,000 expenditure is for governance training for BWP Advisory Board Members who have never had any training on policy and utility issues, and at the present time BWP has not designated any specific training. At the request of Mr. Golonski, Mr. Ovrom assured the Council that before any money is spent, BWP would bring back a report to the Council as to exactly what the courses/training will include.

Next, Mr. Golonski referred to a discussion held earlier whereby the Council discussed a list of items on the CDBG list which could possibly be augmented with money from the General Fund, and inquired whether these items had been included in the proposed budget. Mrs. Georgino responded that this was a proposed Discussion Paper item which included the Community Grant requested by Council Member Ramos and

6/18/02

assured the Council that the CDBG items that were not funded would be brought back at mid-year for consideration.

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

801-2 RESOLUTION NO. 26,256:  
Adopt FY 2002-03 Budget A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING THE BUDGET FOR FISCAL YEAR 2002-03, PROVIDING FOR THE TRANSFER OF REVENUE FROM THE BURBANK WATER & POWER DEPARTMENT TO THE GENERAL FUND, AND MAKING APPROPRIATIONS FOR AMOUNTS BUDGETED.

801-2 RESOLUTION NO. 26,257:  
Establishing the Appropriations Limit for FY 2002-03 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DETERMINING AND ESTABLISHING THE CITY'S APPROPRIATIONS LIMIT FOR FISCAL YEAR 2002-03.

801-2 RESOLUTION NO. 26,258:  
804-2 Adopt Fee Resolution A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING THE BURBANK FEE RESOLUTION.

801-2 RESOLUTION NO. 26,259:  
Amend Budget For making Appropriations for Amounts Delineated A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE BUDGET FOR FISCAL YEAR 2001-02 PROVIDING FOR THE PURPOSE OF MAKING APPROPRIATIONS FOR AMOUNTS DELINEATED.  
Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2028 Adopting the Budget for Fiscal Year 2002-2003 was adopted.

Housing Authority Reso. Adopted Housing Authority Resolution No. H-169 Adopting the Budget for Fiscal Year 2002-2003 was adopted.

Parking Authority Reso. Adopted Parking Authority Resolution No. P-56 Adopting the Budget for Fiscal Year 2002-2003 was adopted.

YES Fund Reso. Adopted Youth Endowment Services Fund Resolution No. Y-27 Adopting the Budget for Fiscal Year 2002-2003 was adopted.



- Adopted                   The resolutions were adopted by the following vote:
- Ayes:       Council Members Golonski, Murphy, Ramos, Vander  
                  Borghht and Laurell.
- Noes:        Council Members None.
- Absent:     Council Members None.
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- Motion                   It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."
- 
- 1006-1                   A report was received from Mrs. Campos indicating  
Review of City's        Government Code Section 87306.5 requires a review of the  
Conflict of               City's Conflict of Interest Code in each even-numbered year,  
Interest Code             and, if necessary, amendment of the Code by October 1 of the  
                                  same year.
- The Council directed staff to review the City Conflict of Interest Code and classifications of positions subject to reporting requirements and return with a resolution for Council adoption prior to October 1, 2002.
- 
- 1011-6                   RESOLUTION NO. 26,260:  
801-2                   A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
MOU with BFF-         APPROVING THE MEMORANDUM OF UNDERSTANDING  
COU                      BETWEEN THE CITY OF BURBANK AND THE BURBANK FIRE  
                                  FIGHTERS CHIEF OFFICERS UNIT FOR FISCAL YEAR 2001-  
                                  2002, AND AMENDING THE FISCAL YEAR 2001-2002  
                                  BUDGET.
- 1007-1                   RESOLUTION NO. 26,261:  
Revise Spec. for       A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Police Officer           REVISING THE SPECIFICATIONS OF POLICE OFFICER CTC NO.  
                                  0651.
- 
- Adopted                   The consent calendar was adopted by the following vote:
- Ayes:        Council Members Golonski, Murphy, Ramos, Vander  
                  Borghht and Laurell.
- Noes:        Council Members None.
- Absent:     Council Members None.
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- 406                       Mr. Ovrom stated that, as was reported out from Closed  
Airport Outreach      Session last week by Mayor Laurell, the Council wanted to  
Plan                      initiate a new broad-based attempt to gain consensus on the

City's direction with regard to the Burbank Airport, or at least assemble the different points of view and perspectives on the Airport so that the Council can go forward with a new plan which has broader community support. Mr. Ovrom stated that no matter what plan the Council ultimately supports, it will have to go to the voters for approval. He stated that staff recommended putting the matter on the November 2002 ballot, and if this goal was not reached, the matter could just as easily be placed the City's February or April Municipal Election ballot, or a special election could be ordered. Mr. Ovrom specified the purpose of the plan is to be prepared in case Measure A is struck down, partially or completely, and that the Council still has an obligation to keep moving forward with the Airport issue.

Mr. Ovrom stated staff has recommended a variety of tracks to secure public input, and one recommendation was to form a committee comprised of a representative group of people who can offer a variety of points of view, a cross-section of input that the Council can take into consideration. He suggested each Council Member nominate three people, and clarified that while Council Members have suggested people, these are strictly nominations and the nominees are not appointed until the Council acts to do so. Mr. Ovrom noted this would be a Brown Act Committee which means the meetings would be open to the public, with limited oral communications as there will be numerous opportunities for input as the City reaches out to all segments of the community. Mr. Ovrom stated it is anticipated there will be at least one meeting a week utilizing a facilitator so that it won't be misconstrued that the City is running the meeting, and a staff member will serve as the contact person for the Committee. In addition, Mr. Ovrom stated staff recommended the committee begin meeting the following Monday. He confirmed that the meetings will be recorded on audio tapes, and the facilitator will keep sense minutes, but the meetings will not be televised unless Council directs staff to do so, and the committee members will be provided with a Briefing Book containing the history of the issues.

As to nominations, Mr. Ovrom stated the Council can move forward with the names provided by individual Council Members this evening. Mr. Ovrom stated staff further recommends that the Council reach out to community organizations, service clubs, Council Members in Glendale and Pasadena, Supervisor Antonovich, and Burbank's State legislators to obtain their feedback. With regard to obtaining input from the general public, staff recommends the Council hold public hearings and town hall meetings, send out newsletters, and produce a public service announcement for

television.

Mr. Ovrom suggested the Council next discuss formation of the Plan Evaluation and Review Committee (PERC), and if the Council so chose, nominees be appointed; and, that the Council provide staff direction on the overall Outreach Plan. He concluded by stating that tonight is probably one of the last times that Airport matters will be put on the Closed Session agenda, that the only time that will happen in the future is when the matter is specifically with regard to litigation, so the vast majority of the discussion will be done in public.

Mayor Laurell reiterated that the purpose of the Airport Outreach Plan is actually to glean input from the community in order to be able to construct a plan, and that the reasons behind the emphasis on moving forward quickly include the changes being made in the Airport industry post-September 11, Congress' creation of the Transportation Security Agency (TSA) which adds another level of bureaucracy, the fact that Burbank Airport currently has a voluntary curfew, no protections on future growth, no noise budget, leaving the City at a crossroads of which path to take. He stated his concern is that if the Authority is moving forward under Federal direction to enlarge the existing terminal to be in compliance, the City is still not going to have a terminal which offers the City the desired protections. Mayor Laurell stated it is his belief that the City must find a plan that is palatable to the vast majority so that it can be presented to the Airport Authority and brought to the ballot for the voters to ratify, and if at that point it goes to Washington, D.C. and to the TSA with consensus, including voter ratification, perhaps Burbank can have a safe, secure terminal with a mandatory curfew and a restraint on future noise and growth. He also stated it was prudent to move forward with the Declaratory Relief suit as the Measure A vote was being counted and the City has an obligation to cautiously guard the safety and protection of the quality of life of its citizens.

Ms. Murphy stated she doesn't see this as a plan as much as a fact-gathering and educational effort, and that she sees the Committee as one level of this effort. With regard to the time limit on oral communications at Committee meetings, she believed it would behoove the Committee to have an extended period of oral communications at one of their meetings, and that she envisioned written comments could be submitted. She noted it was her opinion the facilitator's job will be to keep the Committee independent from the City so that they can prepare their thoughts and conclusions, and provide guidelines for the structure of the meeting, and that she's not

looking for consensus to come out of the Committee, but rather for input from different members of the community, and added that she has scheduled a meeting with Los Angeles Council Members LaBonge and Greuel to discuss their request to appoint a commissioner to the Airport Authority.

Mrs. Ramos reiterated the fact that the impetus for the outreach came at the direction of the Council, and the committee concept was brought up by Mr. Golonski when he discussed using Council Member applicants on a future committee. She stated the Council could wait, but on the other hand, depending on the ruling, the Measure A issue will come before the Committee regardless, and that she reached out to the leaders of the Restore Our Airport Rights (ROAR) Initiative in an attempt to involve their point of view in this discussion.

Mr. Vander Borcht stated this plan would provide an opportunity to engage more members of the community in a discussion and obtain their input on the issues, that there is a window of opportunity at this point which revolves around the security issues brought forth by the TSA, on our cooperation with the Federal mandates being exchanged for a mandatory curfew and additional growth controls.

The Council Members then provided the names of their nominees, and the reasons why they chose to nominate them, as follows: Council Member Vander Borcht nominated Bill Thusen, Kirk Bowren, and Mike Napolitano; Vice Mayor Murphy nominated Andy Holzer, Robert Magid, Paul Krekorian and Mary Lou Howard; Mayor Laurell nominated Michael Cusumano, Brian Malone and Vic Nerone; Council Member Ramos nominated Elisabeth Handler, Dean Shelby, and Celeste Francis; Council Member Golonski nominated Michael Bergfeld, Lee Dunayer, and Howard Rothenbach. The first meeting of the Plan Evaluation and Review (PERC) Committee was proposed to be held on Monday, June 24 at 7:00 p.m. at the Burbank Airport Hilton.

Motion

It was moved by Mr. Vander Borcht, seconded by Mrs. Ramos and carried to "seat the nominees to the Public Evaluation and Review Committee."

Mr. Vander Borcht requested that the oral communications period be extended for at least one of the meetings per Ms. Murphy's request, and Mr. Ovrom assured the Council that staff would pass that request along to the Committee, so that the Committee could make a decision about it.

Mayor Laurell entertained a motion to direct staff to proceed with the Outreach Plan. Mrs. Ramos asked that if there are homeowners in Burbank who are not part of an organized homeowners association, could a group discussion still be coordinated to receive their input. With regard to the extension of time for oral communications at PERC meetings, Mr. Golonski requested that the Committee be informed that they have some flexibility with options for taking oral comments, depending on the need.

Motion It was moved by Ms. Murphy, seconded by Mrs. Ramos and carried "to direct staff to proceed with the actions suggested in the Outreach Plan and in addition to make a suggestion that one dedicated evening be given to public comment."

9:19 P.M. Recess The Council recessed at this time. The meeting reconvened at 9:36 p.m. with all members present.

500 Tents and Canopy Ordinance Mr. Becker, Deputy Building Official, stated this item pertains to canvas tents and canopies, such as the type that would be put over a car or boat. He played a video to illustrate the provisions of the proposed ordinance which included: that the purpose of the ordinance is both to clarify the Code sections that apply to use of these structures, and to ensure that the Building Code is applied equally to all similar accessory uses for tents, canopies, patio covers, sheds and gazebos; that using fabric canopies for shade structures has become very popular, and they are being installed Citywide without permits including locations where such structures are prohibited by the Zoning and Building Codes such as front, side and rear setbacks as well as next to the property line. Next, the video discussed that the type of structures within the scope of the ordinance are typical fabric-covered canopies used to shade cars, trucks, boats and RVs and enclosed tents for many outdoor activities; that there are maximum sizes for the tents suggested by this ordinance in order to prevent conflicts with the Uniform Fire Code; that Building Permits are required for tent and canopy structures, with exceptions being temporary uses for a 72-hour period or if structure is less than 120 square feet, less than 10 feet in height and does not contain electrical, mechanical or plumbing fixtures. With regard to sites where these structures may be installed, the video informed that such regulations were contained in both the Zoning and Building Codes, and that the Zoning Code specifies the setbacks where structures cannot be built and outlined such

6/18/02

areas in detail. The video also addressed Building Code requirements, that Burbank Municipal Code Chapter 15 requires that all residential roof coverings have a minimum Class C rating and to comply, the fabric must be flame retardant or have a Class C rating, and concluded by stating the purpose of the ordinance is to address the life safety concerns regarding fabric canopies and tents, coupled with a consistent treatment for the replacement or construction of all types of accessory structures.

Mr. Becker added that the implementation costs would be negligible to enforce this ordinance and asked that Council support introduction of the proposed ordinance.

In response to a question from Ms. Murphy, Mr. Becker stated that this ordinance came about as a result of complaints received, as well as observation by the inspectors in the field, that staff sees a trend being developed, and believe it is prudent to act on it at this time.

Ordinance  
Introduced

It was moved by Ms. Murphy and seconded by Mr. Vander Borgh that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

500  
Tents and  
Canopies

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 7-102 OF THE BURBANK MUNICIPAL CODE, RELATING TO TENTS AND CANOPIES ON RESIDENTIAL PROPERTY.

Carried

The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

1502  
410  
Technology of  
Future Transit  
Shuttles

Ms. Matson, Administrative Analyst for the Transportation Planning Division of the Community Development Department, reported that in October 2001, the Council authorized staff to reevaluate the available technologies and equipment of alternative fuel shuttle buses in order to develop a strategic procurement program, that the funding available for purchasing alternative fuel shuttle buses is comprised of funding from the 1997 Metropolitan Transportation Authority (MTA) Call for Projects, the 2002 Congressional Earmark, Burbank's local match, minus the MTA fees, for a total of

\$970,000. Ms. Matson noted that this recommendation is presented in response to the continued difficulties the City has experienced in maintaining the currently-owned electric vehicles, and gave specific examples of the percentage of time the vehicles were out of service for either mechanical failure or unavailability of parts, which necessitates the leasing of diesel vehicles in order to meet the demands of the Burbank Local Transit service, which continues to rise. She noted that the four electric buses were a new design, and many of their parts are no longer manufactured. She discussed that a committee comprised of staff from various City Departments has conducted a comparative analysis of available technologies for shuttle buses, including electric, hybrids and Compressed Natural Gas (CNG) technologies; the criteria used to determine a recommendation included maintenance records, costs, parts availability and proper fit with the City's energy plans; and, the recommendation is to purchase all CNG buses with the forthcoming grant funds. She noted that CNG is a widely-used form of alternative fuel for transit vehicles, citing examples of successful implementation in several cities and agencies, including MTA, who owns the largest CNG fleet in the nation, stating this commonality of CNG vehicles in the Los Angeles area provides potential for future procurement and maintenance cost-sharing, and stating CNG buses do not use specialized parts. Ms. Matson stated CNG stations are more readily available than are electric recharge facilities, and that the construction of the City's CNG station is scheduled to be completed by the end of the year.

Motion It was moved by Ms. Murphy and seconded by Mr. Vander Borght that "staff be directed to purchase seven CNG buses with the available Metropolitan Transit Authority grant and Federal Transit Administration earmarked funds."

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.

1208-2 Mrs. Evans, Assistant Community Development Director for Woodbury Univ. Redevelopment, Housing and Economic Development, reported Rental Agmt. the City of Burbank WorkForce Connection opened to the (Workforce public in December of 2001, and provides free services to job Connection) seekers, access to job listings via the internet and through regular job postings, assistance with resumes, use of

computers, free faxing, copy services and access to a resource library, and also provides office space to The Work Training Program, which provides training for disabled workers. She stated a second partner, Woodbury University, is proposed for this center as part of the City's economic development strategy and of the WorkForce Investment Act. Mrs. Evans discussed that Woodbury University approached City staff with plans to develop a business assistance center in collaboration with the San Fernando Valley Economic Center.

Mrs. Evans stated the agreement before the Council represents a proposal for leasing office space to the new Business Assistance Center within the suite of offices now occupied by the WorkForce Connection and the Work Training Program, and stated the Business Assistance Center will provide business counseling and technical assistance, entrepreneurial training and access to capital for small business owners interested in expanding, or assistance for start-up businesses, and that Woodbury University will primarily be targeting businesses within the Burbank community. She noted that the Center will build upon the assets provided through the University's School of Business and Management, and the business assistance curriculum will be delivered by a combination of Woodbury faculty and Valley Economic Development Center trainers, and that access to capital will be provided through the Valley Economic Development Center's Lending Division. Mrs. Evans further noted that Woodbury University is currently applying for funding for this program from the Department of Housing and Urban Development (HUD).

With regard to the terms of the agreement, Mrs. Evans stated they included an annual lease rate of \$1 for the use of 196 square feet of dedicated office space and use of the common area within the office suite, and would commence upon funding approval from HUD. She stated the addition of Woodbury University as the third partner to the WorkForce Connection would allow them to provide additional focused assistance to small businesses within the community, those businesses interested in expanding and enhancing their performance, or for individuals interested in start-up businesses.

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

1208-2 License Agmt. RESOLUTION NO. 26,262:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK



With Woodbury University APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF BURBANK AND WOODBURY UNIVERSITY, A PRIVATE, NON-PROFIT UNIVERSITY.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

102-3 Review of Adopt-A-Pet Hosting Options Mr. McManus, Public Information Officer, provided a brief history of the hosting policy of the Adopt-A-Pet Program, which has been airing for about five years, including: that the program was originally hosted by a volunteer, Larry Elliot; that in 1995, the program became a weekly show hosted by then-Council Member Bob Kramer; and, that in April/May 2001, the Council reviewed the hosting policy, and, as a result, adopted a policy stating the hosting duty would be rotated among the five Council Members, but that scheduling conflicts continue to occur. He indicated staff was seeking consistency and predictability from week-to-week so the program can be planned accordingly, and this consistency would also benefit the purpose of the show.

He noted that staff presented five hosting options, and detailed each option as follows: 1) the show be permanently hosted by an individual Council Member to be determined by a vote of the Council; 2) the show be hosted in rotation by Council Members who volunteer to participate in this rotation; 3) the show be hosted by a "community volunteer" such as a representative from an animal rescue group, a veterinarian, or animal trainer; 4) the show be hosted by a celebrity or entertainer; or, 5) authorize the City Manager or his designee to select a staff member to serve as the host of the Adopt-A-Pet Show on a permanent basis, adding that it was staff's recommendation to adopt option number five.

Motion It was moved by Ms. Murphy and seconded by Mrs. Ramos that "staff be directed to proceed with Option No. 5 authorizing the City Manager or his designee to select a staff member to serve as the host of the Adopt-A-Pet Show on a permanent basis."

Carried The motion carried by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander

6/18/02

Borgh and Laurell.  
Noes: Council Members None.  
Absent: Council Members None.

Ordinance Submitted It was moved by Ms. Ramos and seconded by Mrs. Ramos that "Ordinance No. 3599 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702  
1102  
Senior Artists  
Colony (Opp.  
Site No. 4)

ORDINANCE NO. 3599:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT NO. 2000-1 AND A DEVELOPMENT AGREEMENT RELATED THERETO (SOUTHEAST CORNER OF SOUTH SAN FERNANDO BOULEVARD AND VERDUGO AVENUE).

Adopted The ordinance was adopted by the following vote:

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

10:10 P.M.  
Reconvene  
Redev. Agency,  
Housing Auth.,  
Parking Auth.,  
and YES Fund  
Board Meetings

The Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board 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 Ron Vanderford, displaying a letter dated March 20, 1997, signed by all five Council Members and mailed to Glendale residents in support of the 21<sup>st</sup> Century Plan, stating that the 21<sup>st</sup> Century Plan permits a ten percent growth in flights, and stating his opinion that the Council will not be able to resolve all of these issues in time to put a measure on the November ballot unless the plan has already been put together; Howard Rothenbach, expressing appreciation for the answers provided to his previous questions, inquiring why the City did not respond to the

Airport's proposed Negative Declaration in favor of a full Environmental Impact Report (EIR), on the time constraints involved in the EIR process which would take between three and four years, that rushing a measure to the ballot will not prevent the Airport from proceeding with the security enhancement project, that he received a copy of the Airport Outreach Plan staff report last night, and that he believes it is nothing more than a public relations ploy, and declining to serve on the Committee; Eden Rosen, inquiring why a chain link fence has been erected around a service station at the corner of Victory Boulevard and Magnolia Boulevard, informing property owners that if they wash down their sidewalks they should not leave puddles because it breeds mosquitoes, on the County of Los Angeles' plan to close the medical clinic on Magnolia Boulevard, inquiring what can be done to keep the County from closing the clinic, and giving her e-mail address for anyone having questions on caregiving issues; and Mike Nolan, expressing support of the closure of the County Medical Clinic due to ill treatment in the past, in opposition to the Airport Outreach Plan, in support of extending the oral communications period at PERC meetings, on the matrix provided to the Council for nominations to the PERC not being provided to the public.

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 10:35 p.m.

Margarita Campos, City Clerk

APPROVED AUGUST 20, 2002

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Mayor of the Council  
of the City of Burbank