

TUESDAY, NOVEMBER 5, 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 5:32 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

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

Absent - - - - Council Member Ramos.

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

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

5:32 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:

Conference with Labor Negotiator:

Pursuant to Govt. Code §54957.6

Name of Agency Negotiator: Management Services Director/ John Nicoll.

Name of Organization Representing Employee: Represented: Burbank City Employees Association, Burbank Management Association, International Brotherhood of Electrical Workers, Burbank Firefighters Association, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.

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.

Invocation The invocation was given by Michelle Olson, intern of Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Police Captain Gordon Bowers.

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.

- 301-1
World Town
Planning Day
- Campos, City Clerk.
Mayor Laurell presented a proclamation in honor of World Town Planning Day to Assistant Community Development Department Director Art Bashmakian.
- 301-1
Police Star and
Police Medal
Awards
- Chief Hoefel recognized the heroic efforts of Mr. Javier Gonzalez for coming to the assistance of an accident victim in a burning vehicle by awarding him a Chief's Commendation. The Chief also recognized the valiant actions of several members of the Police Department for their extraordinary efforts in attempting to rescue the victim of this accident and awarded the Police Star to Officer Michael Gibbons; Police Medals to Detective Paul Orłowski and Officers Steve Buteyn, Randy Lloyd and Kerry Schilf; and, Professional Esteem Awards to Detective David Kleinfeld and Officers Steve Castleberry, Aaron Kendrick, and John Pfrommer.
- 301-1
K-9 Recognition
- Lt. Lowers recognized citizens who volunteered to serve as training decoys for the Burbank Police Department's K-9 Program. Lt. Lowers introduced Sgt. Rick Madrid, Officer Theresa Geier and her dog Ugli, and Officer Craig Bragdon and his dog Rex. She presented commendations to Warren Mauran for 1700 hours of volunteer service, Warren Mauran II for 900 hours of service, and Donald Mauran for 200 hours of service, and also recognized the participation of the Burbank Woman's Club, represented by Julia Larsen, for their support of the K-9 Program.
- Reporting on
Council Liaison
Committees
- Mrs. Ramos announced that the Sister City Committee is currently accepting applications from high school students for the Ota, Japan Student Exchange Program. Mr. Vander Borcht reported on the Development and Community Services Building Committee meeting, stating the Council would be apprised of the final building plans at the Council meeting of December 10.
- Reporting on
Closed Session
- Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings.
- 406
Airport
Authority
Report
- Airport Authority Commissioner Wiggins reported on action taken at the meeting of October 21, 2002, as follows: approval of the minutes, award of a contract for the civil engineering design for Desmond Studio Equipment for pavement, drainage and street improvement; awarded a contract for the Pass-Serv

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Flight Tracking System, which they anticipate will be operating within 60-90 days; received an update on the Airport Air Quality Improvement Program, dealing with the Airport's attempts to procure low emission vehicles, electric buses, electric charging stations and fleet changes/additions; and received an update on the Terminal Security Enhancement Project.

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, commenting on security improvements at Long Beach Airport; Mark Barton, on the interruption of speakers; Esther Espinoza, on Burbank's minority population; and Howard Rothenbach, announcing the success of the Friends of the Burbank Library's booksale and encouraging people to vote.

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 Michael Bergfeld, commenting on the Airport Outreach Plan; R. C. "Chappy" Czapiewski, agreeing with Mr. Bergfeld's comments and expressing disagreement with the Airport Outreach Plan; Irma Loose, commenting on the development of a comprehensive City policy on Burbank-Glendale-Pasadena Airport facilities, and on the Council not adhering to the PERC recommendations; David Piroli, inquiring as to the attendance of Airport Commissioners at City Council closed sessions, posing specific questions regarding the Airport Outreach Plan; Mike Nolan, on Measure A litigation and the current appeal, on the expediency of the proposed library grant bond measure and the hiring of bond counsel without competitive bidding; Howard Rothenbach, expressing concerns with hiring the firm of Moore Iacofano Goltsman, Inc. (MIG) for the Burbank Airport Policy Process, commenting on a noise budget at the airport, and urging the sale of the B-6 Property; Dr. Theresa Karam, commenting on the efforts of the PERC Committee Members and on the upcoming election to fill two City Council positions; C.L.

Stack, commenting on the Measure A litigation and the pending appeal; and Esther Espinoza, in opposition to revising the salary of the Senior Civil Engineer, and in opposition to the proposed library grant measure.

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

8:06 P.M. Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 8:07 p.m. with all members present.

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

Minutes Approved The minutes for the regular meeting of October 15, 2002 were approved as submitted.

204
PSA w/Martin &
Chapman RESOLUTION NO. 26,356:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND MARTIN & CHAPMAN CO.

1009-1
Revise Salary of
Senior Civil
Engineer RESOLUTION NO. 26,357:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY FOR SENIOR CIVIL ENGINEER.

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

804-3
801-2
Battery Back-up
Systems for
Traffic Signals Mr. Johnson, Assistant Public Works Director-Traffic Engineer, stated the purpose of this item was to request Council approval of a resolution authorizing an agreement with the California Energy Commission (CEC) for a traffic signal battery back-up systems (BBS) grant at twenty intersections and approval of a resolution to seek additional funding for the

installation of an additional nine traffic signal BBS. He displayed a map depicting the proposed approved locations as well as the additional BBS locations. He identified the advantages of the BBS, including that the BBS frees up Police Department and Public Works Department personnel, improves safety at intersections near schools and improves vehicular safety. He noted the grant amounts and project totals, including a \$53,200 grant at the twenty approved locations, plus \$26,800 in City matching funds, totaling \$80,000; and a \$26,300 grant, plus \$13,300 in City matching funds, totaling \$39,600 for the additional locations. Next, he addressed the significance of installing the Light Emitting Diode (LED) signals, and explained how the annual energy savings will pay for replacement of the batteries, as the use of LEDs saves about \$230,000 annually in energy costs, and battery replacement will cost \$5,000 annually for all 29 locations.

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

804-3 RESOLUTION NO. 26,358:
801-2 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Traffic Signal AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO APPLY
Batter Backup FOR A TRAFFIC SIGNAL BATTERY BACKUP SYSTEM GRANT
System Grant FROM THE CALIFORNIA ENERGY COMMISSION.

804-3 RESOLUTION NO. 26,359:
801-2 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Agmt. w/Calif. AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
Energy Comm. THE CALIFORNIA ENERGY COMMISSION FOR A BATTERY
For a Batter BACK-UP GRANT OF \$53,200 AND AMENDING THE FISCAL
Back-up Grant YEAR 2002-2003 BUDGET.

406 Mrs. Georgino, Community Development Director, stated that
Comprehensive several months ago the City Council initiated a public outreach
City Policy on program designed to educate the public on airport
BGPA Facilities development issues and began an effort to develop a broad
consensus aimed at creating a comprehensive strategy for
airport development. She noted several noteworthy events
relating to the Burbank Airport have occurred in recent
months, including the conclusion of the Measure A litigation,
the completion of the Plan Evaluation and Review Committee
(PERC) process, the City Council's adoption of the interim
development control ordinance (IDCO), and staff's approval of
the Airport security project. She stated the PERC report was
developed at the conclusion of a focused public outreach

effort and was drafted by a subcommittee who presented the report on October 1, 2002, noting the inclusion of the minority opinion in the report. She continued that the report provides a series of recommendations aimed at addressing the quality of life issues impacted by the operation of the Airport, and that the Council directed staff to develop a program utilizing the report as a basis for examining options and making recommendations for the appropriate zoning and development standards for properties currently under the jurisdiction of the IDCO, and that in addition the Council indicated the report would be used in future discussions with the Airport Authority and the cities of Glendale and Pasadena as potential options would be developed both for the operation of the existing terminal and any future terminal.

Mrs. Georgino stated there is both a need and an opportunity to build upon these efforts to construct a comprehensive, enforceable City policy on the Airport that establishes the criteria and conditions for either expanding existing facilities or constructing new facilities, and, based upon staff's belief that the community needs to prepare for several options for future Airport facility projects, recommended the initiation of a process to develop a comprehensive City policy for Airport facilities. Next, she outlined the purpose of such a policy, as follows: protects the quality of life for Burbank residents; has the express approval of the voters; is comprehensive in its scope; incorporates and reflects several alternate visions of the Airport's future; and is practical, capable of being implemented, and enforceable through specific laws and other mechanisms.

Mrs. Georgino noted the two key ingredients of such an undertaking include that the process be transparent so that all interested stakeholders are able to see how the policy is being developed and participate in its drafting, and, secondly, the policy must set achievable goals, striking a balance between competing interests and legal rights. She proposed the development of a comprehensive policy on Airport facilities involve the following elements and phases: implementation of PERC recommendations; development of a Specific Plan; development of a City Policy on Airport Facilities; presentation of a ballot measure seeking voter ratification of the City Policy on Airport Facilities; and, implementation of the City Policy on Airport Facilities subsequent to voter ratification.

Mrs. Georgino stated the timing for this effort is tight and that the expiration of the IDCO in August 2004 should set the outer limit for completing implementation of the Policy, and recommended the effort be led by City staff in coordination with the planning and communications firm of Moore Iacofano

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Goltsman, Inc. (MIG), who would be assisted by the City's outside airport counsel and who would retain experts in at least the disciplines of traffic, environmental review, economics and noise, adding that the expert would provide substantive advice both on the elements of the specific plan and on practical drafting and implementation of the Policy. Mrs. Georgino introduced Patricia McLaughlin, one of the principles of MIG, who participated in the PERC process and served as the primary recorder of PERC sessions. Ms. McLaughlin introduced Steve Reiner, Director of Community Development Services for MIG and has 30 years of planning experience in the implementation of general plans, specific plans and community development projects.

Mr. Reiner described the Specific Plan as a planning tool which allows the City a response to possible alternatives related to airport development and would be geared towards protecting the quality of life for residents; allows the City to comprehensively look at immediate and adjacent airport lands to study current land, economic, and environmental issues in a way which documents current conditions; and, identifies possible future alternatives for development. He added that in concert with consulting the community, specific plans are a highly flexible tool that have been used as a means of addressing the future.

Mrs. Georgino discussed the proposed schedule for the Burbank Airport Policy project, and displayed a map of the Burbank Airport Specific Plan Study Area.

Motion It was moved by Mr. Vander Borcht and seconded by Ms. Murphy that "staff be directed to proceed with the outreach effort, proceed with the study of the land use standards, proceed with the Specific Plan process to clarify the scope of the work, excluding entering into any contracts for this purpose, and to bring back a report addressing the concerns expressed by the Council with the proposed approach, including the implementation of the PERC recommendations, in a study session format."

Carried The motion carried by the following vote:

Ayes: Council Members Murphy, Ramos, Vander Borcht and Laurell.

Noes: Council Member Golonski.

Absent: Council Members None.

9:46 P.M. Recess The Council recessed at this time. The meeting reconvened at 10:06 p.m. with all members present.

701
Overview of
State Library
Const. and
Renovation
Bond
Act

Sharon Cohen, Interim Library Services Director, stated the Buena Vista Library represents an outstanding example of library service in the new millennium, but also serves to call attention to the inadequate conditions at the City's other two library facilities, the Central Library and the Northwest Branch Library, and staff is focusing on identifying the needs at these two other facilities. She reported it has always been the City's goal to eventually replace the existing buildings with new facilities so that every resident in Burbank can benefit from a higher level of library services, and noted the State's Library Bond Act of 1999 provides an incredible opportunity to make this goal a reality by authorizing the awarding of library construction grants on a competitive basis for new or expanded library facilities through an allocation of \$350 million to be distributed to public libraries in three rounds over a three-year period. She noted the first round closed in June 2002, the second round is scheduled to close in March 2003, and the final round is scheduled to close in January 2004. She added the maximum grant per project is \$20 million, with the State funding 65 percent of the cost of constructing new or expanded public library facilities, while the grant applicant must identify a local funding match for the remaining 35 percent at the time of application. Mrs. Cohen stated it is the Burbank Public Library's intention to apply for a grant in the second round to construct a new Central Library at the site of the former Fire Station on Olive Avenue, and that, pursuant to a Professional Services Agreement with Charles Walton Associates to assist in the planning and architectural steps required of applicants for construction grants, Steve Finney, President of Charles Walton Associates and architect of the Buena Vista Library, has been working to determine the footprint of a proposed Central Library. She summarized the establishment of the Burbank United in Library Development (BUILD) Committee and noted its charge was to assist in a Library needs assessment and to study available funding mechanisms that would allow the City to raise the 35 percent required funding to apply for State grant funding.

Mrs. Cohen then introduced Vic Georgino, BUILD Committee member and Chair of the BUILD Finance Sub-committee. Mr. Georgino requested Council support for the construction of two new libraries, the Central Library located downtown, and the Northwest Branch Library located near Hollywood Way and Victory Boulevard. He outlined the Finance Sub-committee's plan to achieve this goal, including that the City would apply for a Library Construction Grant which would provide for the construction of a new Central Library during the second round of allocation. Mr. Georgino reported that it was the Committee's recommendation to rebuild the Northwest Branch

For a New and Expanded Central & Northwest Library

FINANCE A PORTION OF THE COSTS OF A NEW AND EXPANDED CENTRAL LIBRARY AND A NEW AND EXPANDED NORTHWEST BRANCH LIBRARY, AND AMENDING FISCAL YEAR 2002-2003 BUDGET.

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.

201
204
City Council
Compensation

Mr. Nicoll, Management Services Director, requested Council consideration of an ordinance seeking voter approval of Council compensation. He briefly summarized that the law allows Council salaries to be increased up to five percent per year, and in December of 2000 the Council directed staff to prepare an ordinance to be placed on the ballot to determine Council compensation, and such compensation was increased by 5 percent in 2001 and it was established that any increase provided in 2002 would be based upon the Consumer Price Index (CPI), which resulted in a 2.8 percent increase. Staff was also instructed to bring back an ordinance in 2002 for the purpose of determining Council compensation.

Mr. Nicoll presented the following options for Council consideration: 1) direct staff to prepare an ordinance that proposes a one-time solution allowing the electorate of the City to determine if the compensation for City Council Members should be raised by five percent to \$998 effective May 1, 2003; or 2) direct staff to prepare an ordinance which would provide an on-going solution either by automatically increasing Council compensation annually by five percent, as allowed by law, or allowing an annual increase tied to an economic indicator, such as the CPI.

Motion It was moved by Ms. Murphy and seconded by Mr. Vander Borght that staff "bring back an ordinance to raise the Council salaries pursuant to the CPI on an annual basis."

Carried The motion carried by the following vote:

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

Noes: Council Member Ramos.

Absent: Council Members None.

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204
Ordinance
Ordering the
2003 Municipal
Elections

Mrs. Campos requested Council approval of an ordinance ordering a Primary Nominating and a General Municipal Election as required by the Charter and the Burbank Municipal Code to be held on Tuesday, February 25, 2003, and Tuesday, April 8, 2003, respectively. She stated the Primary Nominating Election will nominate or elect candidates for terms of four years for two offices of Member of the City Council and three offices for Member of the Board of Education. She noted the Charter states that where there is more than one office to be filled, any candidate who receives more than one-half of the votes cast for all candidates for nomination to office at the Primary Nominating Election shall be deemed and declared by the Council to be elected to such office, and that in the event no candidate receives more than one-half of the votes cast for more than one office, a General Election will be required. Mrs. Campos concluded by stating all Municipal Elections shall be conducted and held in substantial compliance with the City Charter, the Burbank Elections Code, and the State Elections Code.

Motion

It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following ordinance be introduced, passed and adopted:"

204
Ordering the
2003 Municipal
Elections

ORDINANCE NO. 3607:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ORDERING A PRIMARY NOMINATING ELECTION ON FEBRUARY 25, 2003, AND ORDERING A GENERAL MUNICIPAL ELECTION ON APRIL 8, 2003.

Adopted

The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

Ordinance
Submitted

It was moved by Ms. Murphy and seconded by Mrs. Ramos that "Ordinance No. 3608 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1300
Amending the
BMC relating to
Purchasing and

ORDINANCE NO. 3608:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 9 OF THE BURBANK MUNICIPAL CODE RELATING TO PURCHASING AND CONTRACTING.

Contracting

Adopted

The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

10:52 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency 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 Michael Bergfeld, on Council comments with regard to his remarks during the second period of oral communications; Eden Rosen, on SB1588 regarding mosquito abatement, requesting a proclamation on behalf of the Los Angeles Caregivers Resource Center, on the lack of discretion of some guests appearing on the Key to the City television program and requesting to be a guest on a future program; and Irma Loose, requesting a copy of the staff report on the development of a comprehensive City policy on Burbank-Glendale-Pasadena Airport facilities.

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 11:00 p.m.

Margarita Campos, City Clerk

APPROVED NOVEMBER 26, 2002

Mayor of the Council
of the City of Burbank