

TUESDAY, NOVEMBER 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 5:00 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

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

5:01 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:** Staffon et al. v. City of Burbank et al.
Case No.: BC256835
Brief description and nature of case: Alleged employment discrimination.
- 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 §54957.6
Name of the 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 6:45 p.m. by Mr. Laurell, Mayor.

Invocation The invocation was given by Pastor Paul Clairville, Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Mr. Flad, Park, Recreation and Community Services Director.

ROLL CALL

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

Absent - - - Council Members None.

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

301-1 Police Recruitment Video Chief Hoefel introduced Police Lieutenant Bill Taylor, who discussed the current recruitment efforts of the Burbank Police Department, which included the production of a recruitment video in English, Spanish and Armenian.

301-1 2002 AAA Community Traffic Safety Program Awards Mayor Laurell invited Chuck Forrest from the Automobile Club of Southern California, Burbank Office to the podium. Mr. Forrest reported on the community traffic safety program, and noted that Burbank efforts include bike safety training, the reconfiguration of the 5-points intersection, and the re-evaluation of the deployment of crossing guards. Mr. Forrest presented the City with the Silver Award given to communities that implement programs which demonstrate strong and sustained efforts for traffic safety. Mr. Johnson, Traffic Engineer, and Police Lieutenant Wade Taylor, referenced the City's traffic engineering and enforcement efforts.

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301-1 Pearl Harbor Day Mayor Laurell presented a proclamation in honor of Pearl Harbor Day to Dusty Worthen, a World War II Veteran and member of the Veterans Commemorative Committee.

Additional Agenda Item Mrs. Georgino stated that on Friday, November 22, the City received a building application from the Airport Authority and the Transportation Security Administration (TSA) for a modification to their existing building permit for transportation security and safety improvements to the Airport terminal. This specific application is to modify current building improvements to house inspection equipment and a conveyor arrangement for the CTX and EPD baggage inspection systems. She stated that staff is requesting the Council to consider an action that would confirm staff's interpretation of the applicability of the Interim Development Control Ordinance to this application. She stated that "there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted."

Mr. Barlow stated that if the Council finds that the need to discuss this item arose after the agenda was prepared, it may be added to this agenda by a 4/5 vote of the Council.

Motion It was moved by Mrs. Ramos and seconded by Mr. Vander Borght that "the additional item related to the building application from the Airport Authority and the TSA for a modification to their building permit be added to the agenda."

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.

7:15 P.M. Hearing 1704-3 Amend. to CUP 2001-17 (Graciela Hotel) Mayor Laurell stated that "this is the time and place for the hearing on the Extension and Amendment of Conditional Use Permit No. 2001-17. Belvedere Hotels and Resorts is the owner/applicant of the Graciela Burbank extended stay hotel at 322 N. Pass Avenue. The owners wish to amend and extend the Conditional Use Permit."

Notice Given The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that two

letters had been received from Mr. Noonan of 44 Blue Productions in support of the Graciela's application, and a petition signed by 12 neighboring residents in opposition to the Graciela's application.

Staff
Report

Mr. Forbes, Associate Planner, stated that in January 2002, the City Council approved Conditional Use Permit (CUP) No. 2001-17 to allow the Graciela Burbank Extended Stay Hotel to serve alcoholic beverages in conjunction with room service and food service throughout the hotel, including the lobby lounge area and the in-room self-service bars. Mr. Forbes stated that one of the conditions placed upon the permit prohibits any meetings, parties, or other social events from being held at the hotel, and another condition prohibits food service in the buffet area after 11:30 a.m. He further stated that in October 2002, the City Council conducted a six-month review of the Graciela and its service of alcoholic beverages and, at that meeting, the Graciela representative requested that the Council consider modifying the conditions of approval to allow meetings, parties, and other such events to be held at the hotel and that food could be served during these events. Mr. Forbes stated that the Council requested that the Graciela's request be placed on a future agenda for consideration.

Applicant

Mee Lee, representative of the Graciela Burbank, stated the hotel has been open since April of this year and has operated in a professional way, and has had no negative impact on the neighborhood that they are aware of. She stated that many of the potential guests have asked to host meetings and gatherings at the hotel which the hotel would like to do, but one of their conditions of approval prohibits such activity. She stated that one of the main concerns of the project was the potential impact to the parking in the neighborhood. Ms. Lee stated the hotel provides 107 parking spaces and at any given time 70 percent or more of the spaces have been vacant since the hotel opened, citing the hotel's guests generally fly to Burbank and use the shuttle the hotel provides to and from the airport and studios. She stated that all of the other conditions of approval will remain unchanged.

Ms. Lee stated that City staff recently conducted a parking study after six months of hotel operation and concluded that there were no traffic or parking impacts to the neighborhood due to the hotel's operation, and determined most of the parking and traffic impacts were generated by a neighborhood church. She said that approval of this application will make the hotel more viable and will not create any additional traffic or parking and concluded by requesting the amendment be approved, as well as the additional 12-month CUP.

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Citizen
Comment

Appearing to comment were Philip Bradfield, in opposition to the amendment of the CUP because it was marketed as an extended-stay hotel where no food or alcohol would be served, and was later changed to a full-service hotel, expressing concerns with parking and people leaving the hotel after drinking, and with the turnover of Council Members and lack of continuity on past decisions; Barbara Tuuri, in support of the Graciela Hotel, as it suits the community and studio executives, and stating it is a detriment to the hotel that they are currently prohibited from hosting meetings; Esther Espinoza, in opposition to the Graciela Hotel's application; Susan Bowers, Executive Director of the Burbank Chamber of Commerce, supporting the Graciela Hotel's application because they have operated in a professional manner, commenting that the hotel is forced to turn away business because they cannot provide food service, stating the square footage of the hotel would prohibit any large gatherings, and noting the elimination of increased traffic through use of the hotel's shuttle service; Mike Nolan, in opposition to the application, stating the hotel was aware of the restrictions when the original CUP was issued, that assisting the hotel by increasing their viability is at the expense of the neighborhood, and expressing concern with bringing this item before the Council before the scheduled time; and, Mark Barton, in support of the Graciela's application.

Hearing
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Applicant

Ms. Lee responded to public comments, noting that no complaints have been filed with the City or the Police regarding the Hotel, with the exception of an advertising process which was determined by City staff to not be in violation of the CUP and stating the hotel has operated without any impacts to the neighborhood, that they have reached out to the neighborhood by requesting comments and complaints, and none were forthcoming.

Motion

Following Council discussion, it was moved by Mr. Golonski and seconded by Ms. Murphy that "staff be directed to add the following conditions: limit the combined occupancy of special events/meetings to a maximum of 75 guests; that while holding such an event, free valet parking be offered to guests at any event; that the hotel be compelled to continue to offer free shuttle service to guests; and that at no time shall amplified music be allowed on the rooftop."

- Carried The motion carried by the following vote:
- Ayes: Council Members Golonski, Murphy, Ramos, and Vander Borght.
Noes: Council Member Laurell.
Absent: Council Members None.
- Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "the following resolution be passed and adopted, with the incorporation of the four additional conditions:"
- 1704-3 RESOLUTION NO. 26,364:
Extending and A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Amending CUP EXTENDING AND AMENDING CONDITIONAL USE PERMIT NO.
2001-17 2001-17 (322 PASS AVENUE, BELVEDERE HOTELS AND
(Graciela Hotel) RESORTS LLC, OWNER/APPLICANT).
- Adopted The resolution was adopted by the following vote:
- Ayes: Council Members Golonski, Murphy, and Vander Borght.
Noes: Council Members Ramos and Laurell.
Absent: Council Members None.
- 8:19 P.M. Mayor Laurell stated that "this is the time and place for the
Jt. Public Hrg. joint public hearing of the Redevelopment Agency and the
W/Redev. Council of the City of Burbank regarding the Burbank Village
Agency Walk project proposed by Olson Urban Housing LLC. Staff has
Opportunity Site recommended that this matter be taken off calendar at this
No. 2 (Old Police time. It will be renoticed at a later date. What is the
Block) Council's pleasure? Is there any discussion or a motion?
- Motion It was moved by Ms. Murphy, seconded by Mr. Golonski and carried that "the hearing be cancelled."
- Reporting on Mr. Barlow reported on the items considered by the City
Closed Session Council during the Closed Session meeting.
- First Period of Mr. Laurell called for speakers for the first period of oral
Oral communications at this time.
Communications
- Citizen Appearing to comment were Mariana Walton, protesting lap

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Comment swimming being moved from McCambridge Pool to Burroughs High School, and in opposition to the fee charged; Dorothy Teola, protesting the fee charged to use Burroughs High School for lap swimming, stating the use of Burroughs' pool should be free to the residents; Howard Rothenbach, requesting the City not raise the Transient Parking Tax; Ed Davis, commenting on parking at the Buena Vista Library and requesting the construction fence be removed; Esther Espinoza, commenting on institutional racism; Howard Friedman, commenting on traffic at the Empire Center, inquiring about the status of the Los Angeles Equestrian Center Citizens Committee, and stating he is offended by Mrs. Espinoza's racial comments; Dr. Theresa Karam, commenting on Ms. Murphy and Mr. Golonski's attendance at the Glendale City Council meeting last week; and Mark Barton, on the limited space available to construction workers at the AMC project site.

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 Joseph Krubi, referencing an e-mail he sent to the Council and the City Manager, requesting the Council postpone a decision on increasing the Transient Occupancy Tax, in opposition to the proposed increase, noting several cities which have no Transient Occupancy Tax as it limits local hotels from competing on business packages, proposing the Council protect the viability of its businesses and urging the Council to create a visitors bureau to attract business to Burbank rather than increasing taxes; Atef Taher, supporting the Urban Outfitters proposal as high quality tenants will increase revenues to the area; Greg Jackson, in opposition to the Urban Outfitters proposal which in his opinion will fund a multi-million dollar private company; Susan Bowers, in opposition to the increase in the Transient Parking Tax as this is detrimental to businesses struggling in the current economy, and because ultimately the increase will be passed on to the customer; Irma Loose, commenting on a new terminal at the Airport and the Mayor's request for public input on the matter; Esther Espinoza, on the Child Care Committee appointments and on former Council Members being prohibited from accepting employment with the City for a 12-month period; David Piroli, in opposition to the Transient

Parking Tax increase, commenting on Ms. Murphy and Mr. Golonski attending the Glendale City Council meeting last week and commenting on local control with regard to Airport issues; Dr. Theresa Karam, commenting on the Airport's safety record; Mike Nolan, on the lack of notice on postponement of one of the hearings on the agenda, in opposition to the Tucker Investment Group request for a Downtown Tenant Assistance Program loan, and in opposition to increasing the Transient Parking Tax; Tate Holland, owner of 129 S. San Fernando Blvd., encouraging the Council to consider doing whatever they deem necessary to bring in quality tenants and in support of the Urban Outfitters proposal; Frank Gangi, commenting on Mr. Tucker's business activities in the downtown area and encouraging the Council to support the Urban Outfitters proposal; and Howard Rothenbach, in support of the ballot measure authorizing potential bonded indebtedness to build a new Central Library.

Staff
Response

Members of the Council and staff responded to questions raised.

9:23 P.M.
Recess

The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 10:01 p.m. with all members present.

10:01 P.M.
Recess to
Closed Session

The Council recessed at this time 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
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Case No.: BC259852
Brief description and nature of case: Declaratory Relief.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)

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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

10:25 P.M. Reconvene The Council reconvened at this time with all members present except Ms. Murphy who left the meeting at 10:25 p.m.

Reporting on Closed Session Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting.

Motion It was moved by Mr. Vander Borcht and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."

Minutes Approved The minutes for the regular meeting of November 5, 2002 were approved as submitted.

1007-1
1009-1
Establish Title of Fire Fighter Recruit
RESOLUTION NO. 26,365:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF FIRE FIGHTER RECRUIT (CTC NO. 0353 – EXEMPT) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

1007-1
1009-1
Establish Title Of Power Supply Manager
RESOLUTION NO. 26,366:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF POWER SUPPLY MANAGER (CTC NO. 0611) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

1009-1
Revise Salary of Energy Trader/ Scheduler
RESOLUTION NO. 26,367:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY FOR ENERGY TRADER/SCHEDULER (CTC NO. 0675).

1009-1
Revise Salary of Power Resources
RESOLUTION NO. 26,368:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY FOR POWER RESOURCES MANAGER

Manager (CTC NO. 0663).

804-3
907
804-2
Appropriate
Funds for Law
Enforcement
Activities

RESOLUTION NO. 26,369:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2002-2003 BUDGET TO APPROPRIATE FUNDS FOR DESIGNATED LAW ENFORCEMENT ACTIVITIES.

203-6
Child Care
Committee

A report was received from Mr. Flad, Park, Recreation and Community Services Director, which stated that upon adoption of the Child Care Master Plan in 1991, the Child Care Committee became a regular Council-appointed Committee and, pursuant to the by-laws, appointments to the Committee are recommended by committee members and forwarded to the Council for approval. The report noted that the appointments are for one-year terms and include representation of those in the City whose cooperation in the child care effort is needed, including the school district, private business employers, child care providers, and parent users of child care service.

The report further noted that the by-laws do not limit the number of individuals who may serve and the following 14 names were recommended by the Child Care Committee for membership: Karel Roland Armstorff, Horace Mann Childrens Center Parent Representative; Goldie Bemel, Burbank Unified School District; Yvette Coontz, St. Anne's Maternity Home, CFO; Gail Dover, YMCA; Jose Delgado, Regional Child Care Advocate; Mildred Engel, Retired Educator; Annabelle Godwin, Retired Provider, College Instructor; Barbara Gunderson, The Walt Disney Company, Work & Family Specialist; Paul M. Krekorian, Lawyer and School Site Council; Carol Miller, Pre-school Director; Deane Phinny, Retired Provider/Administrator; Nancee Rodriguez, Child Care Center Director; Robin Wright, Child Care Instructor; and Helen von Seggern, Retired Educator.

The City Council appointed the recommended candidates to the Child Care Committee.

Adopted The consent calendar was adopted by the following vote:

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

406
Comprehensive
City Policy on
BGPA Facilities

Mrs. Georgino, Community Development Director, stated that since the November 5, 2002 Council action on this item, staff has been looking at several different options for development of land use controls and standards for the Airport property and surrounding impacted property. She stated that three options are under consideration by staff: 1) A Conditional Use Permit process which would require any Airport project to secure a Conditional Use Permit; 2) Develop interim development standards for Airport projects, which could be required instead of, or cumulative to, option number 1; 3) Develop a comprehensive Specific Plan for the appropriate study area, including the Airport property as well as adjacent properties.

Mrs. Georgino stated that staff will bring a report to the Council, with a recommended approach and staffing options, at the December 17, 2002 Council meeting.

The City Council noted and filed the report.

204-3
804-5
Consideration of
Placing a
Measure on the
April 2003
General Election
Ballot to
Increase the TPT

Mr. Hanway, Financial Services Director, stated the purpose of the item was to obtain direction from the Council to prepare an ordinance to place a measure on the ballot for the April 8, 2003 General Municipal Election to increase the City's Transient Parking Tax (TPT). He stated that on October 15, 2002, staff presented the concept of increasing the TPT, and the Council was supportive of the concept but requested follow-up on several different items.

Mr. Hanway discussed the following concerns: 1) Consider establishing an escalator such as a CPI increase. However, after further review, staff feels this would not be consistent with Proposition 218. In order to establish a future increase, a rate would have to be specifically mentioned in the ballot measure or an initial maximum amount with an annual increase at the discretion of the City Council; 2) Amount of existing rates for the parking sites which are currently contributing to the TPT; 3) Regarding actual tax receipts, staff prepared a report illustrating the amount received last year by parking lot and the proposed revenues at various rates; 4) In response to a request to identify what the varying percentage increase would mean to an operator, staff prepared a matrix which addresses the different parking rates and what the cost would mean if absorbed by the operator; 5) Addressing a concern as to the cost comparison between what the parking rates were prior to the TPT and currently, a comparison of two of the top three operators were prepared; 6) Regarding San Francisco's 25 percent rate, staff discovered that the rate occurred so long

ago, there was no corporate memory of that experience.

Mr. Hanway stated that staff has summarized three different options: establish a simple percentage increase; establish a specific amount with annual increases being specified and with a maximum cap; or, establish a maximum cap with an annual setting of the rate by the Council. He then noted that the reason for recommending the increase in the TPT is due to the significant increases in General Fund expenditures and the lack of certainty as to what the State will do, the City only has the opportunity to increase the TPT every two years during a General Municipal Election and staff is recommending a 12 percent increase in 2003.

Motion It was moved by Mr. Vander Borght and seconded by Mrs. Ramos that "staff be directed to prepare an ordinance calling for a Special Election to be consolidated with the 2003 General Election that would request the voters to consider authorizing Council to increase the TPT from 10 percent to 12 percent following a future public hearing."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

1006-1 Code Amendment Prohibiting Former Elected City Officials from Obtaining City Employment Mr. Barlow reported that the Council directed staff to prepare an ordinance which would prohibit former elected City Officials from taking employment with the City for one year after leaving office. Mr. Barlow stated that the ordinance as currently written would not apply to appointed individuals who are currently holding elected offices, noting the City currently has two individuals in that capacity.

Mrs. Ramos recommended amending the ordinance to include only City Council members, omitting the City Treasurer and City Clerk, and defer a future study of those two positions to a Charter Review Committee.

Mr. Barlow stated that if the Council wished, the ordinance could be introduced at this time and the amended ordinance would be brought back at the next meeting for adoption.

Ordinance Introduced It was moved by Mr. Golonski and seconded by Mrs. Ramos that "the following ordinance be introduced as amended and read for the first time by title only and be passed to the

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second reading." The ordinance was introduced and the title read:

1006-1
Code
Amendment
Prohibiting
Former Elected
City Officials
from Obtaining
City
Employment

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 2 OF THE BURBANK MUNICIPAL CODE RELATED TO EMPLOYMENT OF FORMER ELECTED OFFICIALS.

Carried

The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

204-2
701
Ordering the
Submission of a
Measure for the
Library

Mrs. Cohen, Interim Library Services Director, presented a report which requests Council authorization to place a measure for incurring bonded indebtedness not to exceed \$14 million on the ballot for the Primary Nominating Election of February 25, 2003 and authorize an opinion to be prepared by the City Attorney.

Mrs. Cohen stated that the City has an opportunity to apply for a maximum of \$20 million in State funds that will not only assist in construction of a new Central Library, but would also rebuild the Northwest Library. This grant would fund 65 percent of the project with the remaining 35 percent coming from matching funds. The Burbank United in Library Development (BUILD) Committee has recommended that these matching funds be financed through the authorization of general obligation bonds.

She stated that some of the reasons for rebuilding the other libraries include: to provide sufficient parking; provide services such as computer training at a time convenient to the residents; increase literacy services to adults; and, provide more programs for youth.

Mrs. Cohen concluded by thanking the BUILD Committee for their efforts to the Library, the City and the Community.

Ordinance

It was moved by Mrs. Ramos and seconded by Mr. Vander

Submitted Borght that "Ordinance No. 3610 be introduced and adopted."

204-2 ORDINANCE NO. 3610:
 701 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
 Ordering the ORDERING THE SUBMISSION OF A MEASURE OF INCURRING
 Submission of a BONDED INDEBTEDNESS FOR THE PURPOSE OF THE
 Measure for the ACQUISITION, CONSTRUCTION AND COMPLETION OF
 Central Library CERTAIN MUNICIPAL IMPROVEMENTS TO THE QUALIFIED
 VOTERS OF THE CITY OF BURBANK AT A PRIMARY ELECTION
 TO BE HELD ON FEBRUARY 25, 2003.

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

406 Mr. Forbes, Associate Planner, stated the Airport Authority
 Revision to submitted plans on Friday, November 22, 2002 at the request
 Building Permit of the Transportation Security Administration (TSA) for a
 Request by basement level baggage handling equipment room at the
 Airport Burbank-Pasadena Glendale Airport. He stated the proposed
 Authority room would be located on the north side of the terminal
 and TSA for building facing the runways and would be in addition to a
 Baggage previously proposed single-level equipment room and would
 Screening Area provide an additional basement level room of approximately
 4300 square foot for baggage handling equipment only
 beneath a grade-level screening room. Mr. Forbes further
 stated that this room was not included on previous plans
 submitted for development review nor on previous plans
 submitted to the Building Division for plan check of the
 terminal expansion project.

He stated the room is unique in that it is proposed to be for
 equipment use only and no elevator or stairway access would
 be provided to the room, the only access to the room would
 be by means of an access ladder and equipment hoist.
 Therefore, the room could not be occupied by anyone other
 than personnel performing equipment maintenance and would
 not expand the surface footprint of the terminal as approved
 by the City Council through the development review process.
 Mr. Forbes further stated that the Interim Development Control
 Ordinance (IDCO), adopted by the City Council for Airport
 development, restricts new construction at the Airport to the
 total square footage approved through the development review
 process. Although the proposed room increases the amount of
 enclosed structural square footage beyond what was

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approved, he stated staff does not believe the restrictions in the IDCO were intended to apply to this situation and that the proposed baggage handling space is in compliance with the IDCO and staff intends to issue the necessary permits to allow the Airport to proceed with this project.

He concluded by stating that because of the restrictions of the IDCO, staff is requesting that Council verify that staff's interpretation of the IDCO is consistent with the Council's intent in adopting the IDCO, and to seek confirmation that the IDCO was not intended to apply to this situation. He stated that if the Council agrees, staff seeks direction for the Community Development Director to require that the Airport Authority execute a covenant with the City that would restrict use of the proposed space to equipment only.

Motion It was moved by Mrs. Ramos, seconded by Mr. Vander Borcht and carried with Ms. Murphy absent that "the City Council finds the request to be in compliance with the existing IDCO and approves a covenant restricting the basement level space to equipment only.

11:14 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 Irma Loose, commenting on the Airport IDCO and the consequences of the sale of the B6 Property; Michael Bergfeld, stating his belief that a program airing on Channel 6, in which six prior Mayors dating back to the ones involved in the purchase of the Airport have been discussing whether or not there should be a new terminal, is improper, stating it violates the fair practices act and as it supports the one candidate who actually supported the new terminal, advising legal action can be taken if the program continues to air; Dink O'Neal, asking who is funding the telephone survey on the library bond measure, and commenting on traffic signals at the former five points intersection; David Piroli, on the TSA's request for the equipment room, commenting on potential budget problems,

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and on Proposition 218 requiring discretion be removed from the Council and given to the voters; and, Mike Nolan, on the philosophy of Redevelopment.

Staff
Response

Members of the Council and staff responded to questions raised.

301-2
Memorial
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 11:47 p.m. in memory of Ken Willits and to Wednesday, December 4, 2002, at 4:00 p.m., at the Glendale Hilton Hotel, 100 West Glenoaks Boulevard, Glendale, for a meeting with the Glendale and Pasadena City Councils for a joint discussion of issues and actions relative to the Burbank-Glendale-Pasadena Airport.

Margarita Campos, City Clerk

APPROVED JANUARY 28, 2003

Mayor of the Council
of the City of Burbank