

TUESDAY, DECEMBER 10, 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 5:04 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

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. 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.

5:04 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:** Nathan Alberts v. City of Burbank.
Case No.: EC034662
Brief description and nature of case: Minor injured while on a swing at George Izay Park.
 4. **Name of Case:** McMurray et al. v. City of Burbank.
Case No.: LASC Case No. BC247304
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): 2

- 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.
Summary of Labor Issues to be Negotiated: Current Contracts and Retirement Issues.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:48 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 the Burbank Viking Cheerleading Squad.

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. Moioffer, Deputy City Clerk.

301-1
Walt Disney Imagineering 50th Anniversary Mayor Laurell presented a proclamation to Don Goodman, President of Walt Disney Imagineering, proclaiming December 16, 2002 as Walt Disney Imagineering Day and commemorating its 50th Anniversary.

301-1
Burbank Vikings Senior Division Mayor Laurel presented certificates of recognition to the following members of the Burbank Viking Football Senior Division and Burbank Vikings Cheer Squad: Team Manager Jeff Sigstgon; Coaches: Tim Fry, Craig Hunter, Steve McGlynn, Keith Hopkins, Robert Nichols, Dave Garcia, Jim

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Snowden, Mark Meredith; Team Members: Marcus Hood, Keith Hoefel, Chad Nichols, Robert Linda, Alex Avila, German Alvarado, Chris Massey, Scott Wessel, Kristof Kardos, Anthony Galvez, Roibhilin Huijbregts, Bryan Millo, Aleksandre Weimann, Anthony Sigston, Jordan Wolff, Matt Jones, Carter Snowden, David Horton, Nicholas Garcia, Victor Frausto, Cam Hunter, Kyle Nay; Cheer Squad Director: Debbie Christie; Managers: Geraldine Alvarenga, Becky Sierra; High School Cheer Coach: Jasmine Ramos; Cheerleaders: Toschanni Arnold, Jennifer Alvarenga, Atheynee Arnold, Julie Lemons, Brooke Hayden, Samantha Scott.

Reporting on
Council Liaison
Committees

Mr. Vander Borgh reported on the Tri-City Council Meeting on December 4, 2002. He also reported that he and Mrs. Ramos attended an audit committee meeting and noted the changes that will be made in the annual financial reporting by City Council which was required by recent legislation.

7:17 P.M.
Jt. Hearing with
Redev. Agency
and Housing
Authority
1207
1102
801-2
Approval of
Schematic
Design and
Budget for
DCSB
Project

Mayor Laurell stated that "this is the time and place for the joint public hearing of the Redevelopment Agency, Housing Authority and the Council of the City of Burbank regarding the approval of a Cooperation Agreement between the Agency, Authority and City, and the consideration of the Agency's commitment of property tax increment funds to pay for a portion of the costs of the proposed Development & Community Services Building, the DCSB. Also for consideration as part of tonight's item is the schematic design and schematic design budget for the DCSB."

Notice
Given

The Deputy City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff
Report

Mr. Clifford, Capital Project Manager, presented a report on Phase 1 of the Civic Center Master Plan which specifically includes the Development and Community Services Building (DCSB) and related on-site and off-site improvements. He stated the purpose of this report is to request Council approval of the schematic design budget and schematic design, or a final conceptual plan, which precedes the development of the final design documents. The design team presented an overview of the project's master plan, the DCSB, landscape elevations, floor elevations, and the interior atrium space,

presented a project milestone schedule, design costs and comparison of the current schematic design program with the conceptual program presented to the Council in December 2000, and the financial mechanisms to fund the project.

Mr. Clifford stated that the primary focus of the DCSB is to meet the business needs of the general public and the business community for permitting, licensing, property research and information. He stated the DCSB will house the Public Works Department, the Community Development Department, Park, Recreation, and Community Services Department, and the Public Information Office which provide critical services to the public.

Mr. Clifford stated that in December 2000, the Council approved a conceptual master plan which included a 57,200 square foot, three-story facility to provide office space for approximately 153 staff members and had minimal off-site improvements. In November 2001, Widom Wein Cohen O'Leary Terasawa (WWCOT) was retained as the architectural planning and design service, and in January 2002, Turner Construction was retained for pre-construction services. In April 2002, the Council accepted the master plan and directed staff to further proceed with phase one of the master plan.

Ms. Cohen-Gehring, Principal with WWCOT and the project's Design Architect, discussed the renderings of the various elevations and interior design of the DCSB, and the need to have a Civic District with all the City facilities tied together. She stated that the Civic Center is defined as City Hall, the Police/Fire Facility, a new future Central Library, a new DCSB, a five-level parking structure, and a corner plaza at East Olive Avenue and Third Street. She also noted the addition of a new pedestrian edge along Third Street, linking the Village Center, City Hall and the DCSB with a mid-block crossing and a variety of street improvements.

Mr. Clifford then discussed the Leadership in Energy and Environmental Design (LEED), which is a standard for rating a green building, is administered by the U. S. Green Building Council and is recognized by various authorities including the United States Government, numerous universities and several state and local governments. The LEED criteria are based on the consensus of industry experts and provide an independent and strictly defined set of criteria. A green building is a design and construction practice that significantly reduces the negative impact of a building on the environment and its occupants. He stated that this project is going to be a LEED-certified building which is the bottom tier of the LEED certification. Economically, it makes sense for the City to

obtain this LEED certification and it will be the first such building in the City Limits. Some of the program elements include the atrium which will provide natural daylighting; low-energy water consumption through mechanical, electrical and plumbing design; materials with recycled content; and, better indoor air quality.

Mr. Clifford then stated that the Council's approval will allow for the continuation of the final design process through completion and Agency-approval of the 100 percent construction documents. He noted the design development phase is due to be completed next month. Council approval of the Guaranteed Maximum Price (GMP) contract award for the construction and documents in September 2003, commencing the construction in September 2003, substantial completion in December 2004, with DCSB occupancy in January 2005.

Mr. Clifford then discussed the increase in the cost of the project from \$13.9 million in December 2000 to \$25.5 million, which included off-site improvements for the Master Plan and Civic Center; the increase in square footage of the building with the inclusion of the Public Information Office as a tenant; a 100-seat community room; a staff increase from 153 to 190; the City's commitment to LEED; the expansion in street improvements; and, on-site improvements such as the overhead utility line relocations.

Mr. Hanway, Financial Services Director, discussed the fiscal impact of this project, the proposed funding sources and the annual bond debt service cost. Mr. Hanway stated that the building will be occupied by other than General Fund employees and therefore some of the costs should be allocated from those funds such as the Redevelopment Agency (\$682,000), Housing Authority (\$220,00), Water Reclamation and Sewer Fund (\$6,600), the Golf Course Fund (\$23,700), and Refuse Collection and Disposal Fund (\$5,900). He discussed the allocations of funds based on the percentage of occupancy related to those funds. Mr. Hanway stated that to date the General Fund has funded more than \$2.4 million for the project and staff is proposing to fund some of the add-ons that were not part of the original budget from last year's budget savings, which is about \$600,000.

He stated staff is proposing to use the \$360,000 for one year's budget for street lighting/undergrounding to fund the undergrounding utilities on the block. In addition, Mr. Hanway stated that a large portion of the LEEDS cost is public benefits charge eligible. The General Government has a one percent responsibility for public benefits charge related funds so staff is proposing to fund \$1.5 million out of the amount that is currently being set aside for the electric utility rate increases

which will help meet the City's public benefit commitment. In addition, he stated, the Art in Public Places piece is the fountain in the plaza which is much greater than the budgeted \$150,000, so staff will be requesting to fund \$150,000 for the art component out of the funds available.

Mr. Hanway then discussed recurring payment, stating that staff had been ramping up \$1.087,000 in the five-year financial forecast for the DCSB building. The plans are to allocate a piece of the net debt service, estimated to be \$1,755,000 for the financing to raise the approximately \$19.5 million on an on-going basis, according to their occupancy, to the Redevelopment Agency, Housing Authority, Proposition A and C Transportation Funds, as well as the Sewer Fund, Golf Course Fund, and Refuse Fund their share. There will be two years of capitalized interest as part of the financing and two years or later, the City would start making debt service payments.

Mr. Clifford concluded by stating that staff envisions the establishment of at least two safety nets that will enable staff and Council to maintain complete control of this project by retaining the necessary flexibility to redirect the project pending the State budget impacts. He stated that staff will return to the Council at least twice prior to commencing construction, the first being approximately June or July 2003 for approval of the bond issuance process and in September 2003 to obtain formal approval of the GMP, 100 percent construction documents, and award of a contract for the construction manager at risk.

Citizen
Comment

Appearing to comment were Mike Nolan, stating the City should not go through with this project at this time, citing funding was not available in the City Centre Project because \$9 million was spent on the AMC project, so funding has to come from the Golden State Redevelopment area, and recommending that staff wait until the economy is more stable before constructing the building; Todd Campbell, on the LEED aspect of building, noting that funds invested in a LEED-certified building will be an ultimate advantage to employees working there, and stating there are funds available that may support these aspects of the building, noting that the City has an opportunity to take a leadership role in developing a green building and strive for a higher level of participation rather than settle for the minimum level; and David Piroli, expressing problems with utilizing other fund sources and encouraging the Council not to commit sewer funds to this project.

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

Motion It was moved by Mr. Vander Borcht and seconded by Ms. Murphy that "the following resolutions be passed and adopted and that Council Resolution No. 26,371 be for planning only, not construction:"

1207
1102
801-2
Approval of
Coop. Agmt. w/
Redev. and
Housing and
Approve
Payment of the
Cost of
Installation and
Construction

RESOLUTION NO. 26,370:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A COOPERATION AGREEMENT AMONG THE CITY, THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK, AND THE HOUSING AUTHORITY OF THE CITY OF BURBANK AND APPROVING THE PAYMENT OF THE COST OF THE INSTALLATION AND CONSTRUCTION OF PUBLIC IMPROVEMENTS TO BE OWNED AND OPERATED BY THE CITY.

Redev. Agency
Reso. Adopted

Redevelopment Agency Resolution No. R-2046 Approving a Cooperating Agreement Between the Redevelopment Agency and the City of Burbank and the City of Burbank and Approving the Payment of the Cost Installation and Construction of Public Improvements to be Owned and Operated by the City was adopted.

Housing
Authority Reso.
Adopted

Housing Authority Resolution No. H-17 Approving a Cooperation Agreement Among the Housing Authority, the Redevelopment Agency and the City of Burbank and the City of Burbank was adopted.

1207
1102
801-2
Amending the
Budget for
Funding Addtl.
Costs of the
DCSB

RESOLUTION NO. 26,371:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE BUDGET FOR FISCAL YEAR 2002-2003 FOR THE PURPOSE OF FUNDING ADDITIONAL COSTS OF THE DEVELOPMENT AND COMMUNITY SERVICES BUILDING (DCSB) PROJECT PHASE 1.

Redev. Agency Reso. Adopted	Redevelopment Agency Resolution No. R-2047 Amending the Budget for Fiscal Year 2002-2003 for the Purpose of Funding Additional Costs of the Development and Community Services Building (DCSB) Project, Phase 1 was adopted.
Housing Authority Reso. Adopted	Housing Authority Resolution No. H-178 Amending the Budget for Fiscal Year 2002-2003 for the Purpose of Funding Additional Costs of the Development and Community Services Building (DCSB) Project, Phase 1 was adopted.
Adopted	The resolutions were adopted by the following vote: Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell. Noes: Council Members None. Absent: Council Members None.
9:12 P.M. Jt. Hrg. with the Parking Authority 1202-5 Downtown Public Facility Maintenance Assessment District No. 1 Levy	Mayor Laurell stated that "this is the time and place for the hearing on the approval of the engineer's report and the levy of the annual assessment for the Public Parking Facility located at 133 East Orange Grove. The property owners that would be paying this assessment are AMC, Islands, Panda, Richard Henson and the Parking Authority. This is a joint hearing of the City Council and the Parking Authority. The City Council is the body that decides whether or not to impose the assessment. The Parking Authority is one of the property owners in the district which has the right to vote on the assessment under Proposition 218."
Notice Given	The Deputy City Clerk was asked if notices had been given as required by law and if the required ballots had been provided to each assessee. She replied in the affirmative and advised that one ballot had been received from Panda.
Staff Report	Ms. Teel, Administrative Analyst in the Public Works Department, presented the City's report on the AMC parking assessment for the public parking facility. She stated that the Downtown Public Facility Maintenance District #1 was established to pay for the maintenance and operation of the AMC parking structure through an annual assessment which is levied and collected from the benefiting parcel owners, including the City's Parking Authority, the AMC Theaters, Islands Restaurant, Panda Restaurant, and Richard Henson. She further stated the Parking Authority is assessed 60 percent

of the total cost with the remaining 40 percent distributed between the other four parcel owners using the ratio of each parcel's land area to the total land area of the District as the basis of apportionment so the larger the parcel, the larger the assessment. She noted that there is no change or increase in the current flat rate assessment which has been in effect since 1999.

Ms. Teel stated that, in compliance with the 1972 Landscape and Lighting Act and the ballot procedure required by Proposition 218, the purpose of this public hearing is to hear public testimony regarding the proposed levy, confirm the preliminary approval of the engineer's report, and tabulate the ballots submitted by the affected parcel owners. She concluded by stating that staff recommends the Parking Authority cast its ballot in favor of the proposed levy and approve its portion of the annual assessment and that the Council approve levying the assessment.

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

No additional ballots were received, thereby giving the City Council jurisdiction to deliberate on the proposed levy.

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

1202-5 Downtown Public Facility Maintenance Assessment District No. 1 Levy Adopted RESOLUTION NO. 26,372:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CONFIRMING THE ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT, ORDERING IMPROVEMENTS AND LEVYING THE 2002-2003 FISCAL YEAR ASSESSMENT FOR THE CITY OF BURBANK DOWNTOWN PUBLIC FACILITY MAINTENANCE ASSESSMENT DISTRICT NO. 1.
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.

Parking Authority Reso. Adopted Parking Authority Resolution No. P-58 Approving the Proposed Assessment for the City of Burbank Downtown Public Facility Maintenance Assessment District No. 1 for Fiscal year 2002-2003.

9:18 P.M.
Recess The Council recessed at this time to allow the Redevelopment Agency to hold a Public Hearing. The meeting reconvened at 9:36 p.m. with all members present.

Reporting on
Closed Session Mr. Barlow reported on the items considered by the City Council and the Redevelopment Agency during the Closed Session meetings.

9:37 P.M.
Recess The Council recessed at this time. The meeting reconvened at 9:53 with all members present.

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 Todd Campbell, speaking on the tri-city council meeting, noting his concern for a regional strategy and plan and his feeling there is a lack of support for that; Howard Rothenbach, on the tri-city meeting regarding the Airport and suggesting that the Federal Aviation Administration (FAA) be invited to speak here rather than Council Members going to Washington D.C., and to have a member of the community also attend meetings with FAA in Washington D.C.; R. C. "Chappy" Czapiewski, commenting on the Mayor not allowing him to speak at a previous meeting; and Esther Espinoza, commenting on rent control and the cost of rents in the City.

Staff
Response
Second Period Mr. Laurell called for speakers for the second period of oral
of
Oral
Communications Members of the Council and staff responded to questions raised.

Citizen
Comment Appearing to comment were Todd Campbell, supporting the item on labor relations, supporting the purchase of RAV 4 vehicles, and commenting on traffic problems in the City and safety of pedestrians, and supporting the ordinance on restricting Council Members from taking City positions for a one-year period, and asking why the other elected officials were not included in the ordinance; Lew Stone, President BFF Local 778, speaking on the contract before the Council,

expressing desire to maintain the high level of firefighter recruits and the high quality of firefighters by providing competitive benefits; Michael Bergfeld, commenting on the City Council candidates not being given the Plan Evaluation and Review Committee (PERC) document as part of their orientation packet; Irma Loose, commenting on the creation of the IDCO and expansion that the Airport Authority claimed was for security purposes, and commenting on the tri-city Council meeting on the Airport; Esther Espinoza, opposing the destruction of City records in the custody of the City Clerk and Department Managers; Howard Rothenbach, reiterating his request to include a member of the community in the meeting in Washington D.C. with the FAA, commenting on signal problems at San Fernando Boulevard and Alameda Street and noting a left turn lane should be installed, and on the City recommending raises for City employees during difficult economic times; R. C. "Chappy" Czapiewski, commenting on the closed session item on the variance hearing with CalTrans; David Piroli, speaking on the Airport, and commenting on the PERC report not being provided to the City Council candidates; and Mike Nolan, supporting the labor agreement with the firefighters, asking why police officers and firefighters cannot work the same shifts, and asking again why the transportation and enterprise funds are being used to construct a public building.

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

10:37 P.M. Recess The Council recessed to permit the Redevelopment Agency, Housing Authority and Parking Authority to hold their meetings. The Council reconvened at 11:06 p.m. with all members present.

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

Minutes Approved The minutes for the regular meeting of November 12, 2002 were approved as submitted.

104-1 Destruction of Records in the Custody of Various Depts. RESOLUTION NO. 26,373:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE CUSTODY OF VARIOUS DEPARTMENTS.

104-1 RESOLUTION NO. 26, 374:
Destruction of A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Records in the APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE
Custody of CUSTODY OF RECORDS CENTER DEPARTMENT.
Records Center

1301-3 RESOLUTION NO. 26,375:
2002-03 CDBG A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Sidewalk and APPROVING AND ADOPTING CONTRACT DOCUMENTS,
Ped. Ramp PLANS AND SPECIFICATIONS, AND DETERMINING THE
(B.S. 1130) LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND
 AUTHORIZING EXECUTION OF A CONTRACT FOR 2002-2003
 CDBG STREET, SIDEWALK, AND PEDESTRIAN RAMP
 PROJECT, BID SCHEDULE NO. 1130.

1301-3 RESOLUTION NO. 26,376:
Parking Deck A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Waterproofing APPROVING AND ADOPTING CONTRACT DOCUMENTS,
for Police/Fire PLANS AND SPECIFICATIONS, AND DETERMINING THE
Facility (B.S. LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND
1120) AUTHORIZING EXECUTION OF A CONTRACT FOR PARKING
 DECK WATERPROOFING FOR POLICE/FIRE BUILDING, BID
 SCHEDULE NO. 1120.

1503 RESOLUTION NO. 26,377:
411 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
801-2 APPROVING AND AUTHORIZING THE EXECUTION OF A
PSA for PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY
Magnolia Power OF BURBANK AND CENTRAL RECLAMATION, INC., FOR
Project DEMOLITION AND DISPOSAL OF THE MAGNOLIA 1, 2 AND 3
 COOLING TOWERS; AND AMENDING THE FISCAL YEAR 2002-
 2003 BUDGET TO PROVIDE FOR RECEIPT AND EXPENDITURE
 OF FUNDS FROM THE SOUTHERN CALIFORNIA PUBLIC
 POWER AUTHORITY RELATED TO THE MAGNOLIA POWER
 PROJECT.

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.

1010 Mr. Nicoll, Management Services Director, presented the

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1011-1
1011-2
1011-5
1007-1
1009-1
1011-6
801-2
Labor
Negotiations

results of negotiations with four of the City's bargaining units; the Burbank City Employees' Association (BCEA), AFSCME; the Burbank Management Association (BMA); the Burbank Firefighters' Association (BFFA); and, the Burbank Firefighters' Association-Command Officers Unit (BFFA-COU), as well as resolutions regarding the compensation for the four informal units which are non-represented mid-managers, executives, appointed officials, and elected officials other than the Council. This involves the approval of twelve separate resolutions including four resolutions which are part of the adjustments relative to setting benchmark surveys.

Mr. Nicoll stated that the BCEA represents 706 employees and has a contract of 3.5 percent based on a competitive market survey and also calls for the City's contribution for the set-up of a retiring medical trust made up of all of the miscellaneous employees. The BMA represents 161 employees and has a compensation package valued at 3.5 percent based on an existing market survey; the BFFA package represents 121 employees and calls for a market-based survey and is a two-year agreement with a 3.6 percent salary increase in the first year and a salary not to exceed a total of 5 percent in the second year based on survey; the cost of a retirement enhancement of 3 percent at 55 for the BFFA is 15.68 percent and calls for an escalating amount over future years which is necessary in order to remain market competitive; with regards to the non-represented managers and executives, the package is valued at 3.5 percent for a one-year period and staff will be looking for ways to catch up in the future to what is believed to be competitive in the marketplace for this group of employees; the executives and appointed officials stay within the same 3.5 percent framework, which provides for bringing the executives to within 42.3 percent of the competitive marketplace; the City Manager and City Attorney are brought to approximately 70 percent of the market competitive base with the same 3.5 percent application to the salaries.

Mr. Nicoll stated the total amount of the budget for these packages is approximately \$3 million in the first year and an additional one-half million dollars already committed for the second year salaries with regard to the firefighters. For the miscellaneous employees, Council has authorized staff to earmark a \$2.4 million deposit for the retirement medical trust for the purpose of funding approximately the first three years of monthly contributions to be matched by a \$42 per month contribution from miscellaneous employees. The trust will take five full years to get set up, but the City is only making a commitment for the first three years to establish the trust.

Mr. Nicoll noted that staff is working on a broader based

survey which is based on a ten- or twelve-agency survey such as Glendale's survey and has been agreed to with the various units.

With regards to the City Treasurer and City Clerk, Mr. Nicoll stated the Council has historically addressed this issue by maintaining a parity between the position of City Clerk and the City Treasurer. He stated if the Council were to apply the same policy applied to the other units with the exception of Fire, there would be an amount of money to maintain the parity with raises equal to 4.06 percent and that would set the new monthly rate as \$7,284.

Motion It was moved by Mr. Golonski and seconded by Mrs. Ramos that "4.06 percent be applied to the City Treasurer's and City Clerk's salaries and that the following resolutions be passed and adopted:"

1011-1 RESOLUTION NO. 26,378:
Approve MOU A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
With BCEA APPROVING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BURBANK AND THE BURBANK CITY
EMPLOYEES ASSOCIATION AND AMENDING THE ANNUAL
BUDGET FOR FISCAL YEAR 2002-2003.

1007-1 RESOLUTION NO. 26,379:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Establish Title ESTABLISHING THE TITLE AND CLASSIFICATION OF BENEFITS
of Benefits COORDINATOR (CTC NO. 0099) AND PRESCRIBING
Coordinator CLASSIFICATION CODE NUMBER, SALARY AND
SPECIFICATION THEREOF.

1007-1 RESOLUTION NO. 26,380:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Establish Title of ESTABLISHING THE TITLE AND CLASSIFICATION OF
Customer PROGRAMS ASSISTANT (CTC NO. 0239) AND
Programs PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND
Assistant SPECIFICATION THEREOF.

1007-1 RESOLUTION NO. 26,381:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Establish Title of ESTABLISHING THE TITLE AND CLASSIFICATION OF
Electrical Service ELECTRICAL SERVICE PLANNER (CTC NO. 0271) AND

Amend Executive Compensation for City Treasurer and City Clerk AMENDING RESOLUTION NO. 21,732 RELATING TO THE EXECUTIVE COMPENSATION PLAN FOR CITY TREASURER AND CITY CLERK AND AMENDING THE FISCAL YEAR BUDGET 2002-2003.

Adopted The resolutions were adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

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

1011-2
801-2
Approve MOU with Burbank Firefighters RESOLUTION NO. 26,388:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK FIREFIGHTERS AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2002-2003.

1011-6
801-2
Approve MOU with Burbank Firefighters Chief Officers Unit RESOLUTION NO. 26,389:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK FIREFIGHTERS CHIEF OFFICERS UNIT AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2002-2003.

Adopted The resolutions were adopted by the following vote:

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

Noes: Council Member Golonski.

Absent: Council Members None.

11:34 P.M.
Mr. Golonski left the Meeting Mr. Golonski left the meeting at this time.

12/10/02

1601
804-3
Lease of Electric
Vehicles

Mr. Van Hazelen, Assistant Public Works Director, Fleet and Building, presented a report recommending accepting the first installment of grant funds from the California Air Resources Board for the lease of 12 zero-emission Toyota electric vehicles and to amend the Fiscal Year 2002-03 budget to appropriate the grant funds. He stated that on March 26, 2002, the Council adopted a resolution approving a three-year lease agreement with Toyota Motor Sales for 12 RAV-4 electric vehicles and authorizing the City Manager to apply for grant funding from the California Air Resources Board for the vehicles. He further stated that on August 26, 2002, staff was notified that the City was successful in obtaining the grant in the amount of \$9,000 per vehicle, or \$108,000 total which was the maximum allowed under the grant process. Mr. Van Hazelen noted that each RAV-4 three-year lease costs the City approximately \$23,000, or a total of \$279,000, and this grant will reimburse the City \$108,000 making the total cost of the 12-vehicle lease to approximately \$171,000. He stated that considering the current lease includes full maintenance and repair, the City's final lease cost after including the grant would be about the same as the purchase of gasoline-powered RAV-4, but the City will have the benefit of zero-emission vehicles.

Motion

1601
804-3
801-2
Lease of Electric
Vehicles and
Receiving Grant
Funds

It was moved by Ms. Murphy and seconded by Mr. Vander Borgh that "the following resolution be passed and adopted:"
RESOLUTION NO. 26,390:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING THE FIRST INSTALLMENT OF GRANT FUNDS FROM THE CALIFORNIA AIR RESOURCES BOARD.

Adopted

The resolution was adopted by the following vote:

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

1502
410
Chandler
Bikeway Update
and Demo

Mr. Salehi, Senior Civil Engineer, Public Works Department, presented an update on the Chandler Boulevard Bikeway construction and requested approval of a demolition agreement with JDK Railroad Materials for the removal of railroad tracks on the Chandler Boulevard median. He stated

Agreement that the first phase is to remove the railroad tracks and the rail removal is an easy process because the rails have salvage value, but the tie removal was a problem since many general contractors do not have the necessary experience to deal with the disposal of the ties. Staff contacted JDK and the City Safety Office has reviewed their procedures and determined that JDK can perform the task safely and in a timely manner. He stated that JDK is performing this phase for the salvage opportunity of the railroad ties and there will be no further cost to the City.

Mrs. Forbes, Principal Planner, reported on the outreach to the community and construction schedule. She stated that the newsletters have been a success, since they have kept the residents informed. She stated that the plans and specifications have been received by CalTrans and staff expects to receive approval in February with a completion date of February 2004. She stated that newsletters will continue to be sent during construction.

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

1502 RESOLUTION NO. 26,391:
410 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Chandler APPROVING A DEMOLITION OF TRACKS AGREEMENT
Bikeway Update BETWEEN THE CITY OF BURBANK AND JDK RAILROAD
and Demo MATERIALS, LLC.
Agreement

Adopted The resolution was adopted by the following vote:

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

1602-1 Mr. Johnson, Traffic Engineer, who stated the purpose of this
PSA with Kimley report is to request approval of a contract with Kimley-Horn &
Horn & Assoc. Associates to design traffic signal upgrades at 20 intersections
for Traffic Signal in Burbank. He stated this project generally includes
Imps. at 20 intersections on the major traffic routes throughout the city
Intersections and fills in gaps between the major intersections. He stated
that the project includes the addition of battery back-up
systems at some intersections that were not planned to have

that type of system and left-turn phasing.

Mr. Johnson further stated that this project is part of an on-going program to upgrade all of the 180 signals in Burbank with about \$1 million to be spent this year with a future budget programmed to be about \$750,000. He stated this project should be completed by 2007.

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

1602-1 RESOLUTION NO. 26,392:
PSA with Kimley A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Horn & Assoc. APPROVING THE PROFESSIONAL SERVICES AGREEMENT
for Traffic Signal BETWEEN THE CITY OF BURBANK AND KIMLEY-HORN AND
Imps. at 20 ASSOCIATES, INC. FOR THE DESIGN OF TRAFFIC SIGNAL
Intersections IMPROVEMENTS.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Golonski.

406 Mr. Ovrom stated this item was placed on the agenda in order
Airport Update to allow the Council to discuss any follow-up to the Tri-City
Council meeting on Airport issues.

Mrs. Ramos stated she believed the three Councils agreed have discussions to determine what all three cities have in common and to send a delegation to Washington DC to speak to the Federal Aviation Administration (FAA) and the Council will determine who will attend that meeting at the next Council meeting. She stated they heard from the Councils of Glendale and Pasadena that they are interested in engaging in the process, meeting the new FAA Director, supporting Burbank in local control, and supporting a mandatory curfew.

Ms. Murphy reported that she and Mr. Golonski met with Adam Schiff in hopes he could assist in setting up a meeting with Administrator Blakey. He felt it would be possible the end of January in order to include Congressional representatives Henry Waxman and Howard Berman, Los Angeles. Mr. Ovrom stated this item will be on the December 17 Council agenda in order to select delegates and to discuss the logistics and substance of the trip.

The Council noted and filed the report.

Ordinance Submitted It was moved by Mrs. Ramos and seconded by Mr. Vander Borgh that "Ordinance No. 3611 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1006-1 ORDINANCE NO. 3611:
Prohibiting AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
Former Elected AMENDING CHAPTER 2 OF THE BURBANK MUNICIPAL CODE
Officials from RELATED TO EMPLOYMENT OF FORMER ELECTED OFFICIALS.
Obtaining City
Employment

Adopted The resolution was adopted by the following vote:

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

12:07 A.M. The Redevelopment Agency, Housing Authority and Parking
Reconvene Authority meetings were reconvened at this time.
Redev. Agency,
Housing
Authority and
Parking
Authority
Meetings

Third Period of Mr. Laurell called for speakers for the third period of oral
Oral communications at this time.
Communication

Citizen Appearing to comment were Irma Loose, asking what leverage
Comment would be lost by the City if the B-6 property were sold; Eden
Rosen, commenting on the film festival, on the Lake Street
area being in need of Redevelopment and the cost of housing
in that area, and on raising awareness regarding Alzheimers;
and Mike Nolan, on Proposition A and C funds being used to
pay for a bond issue and the use of the Golf Fund, on the
disrepair of Third Street in the area of the Court House and
Promenade Apartments.

12/10/02

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 12:19 a.m.

Kay Moioffer, Deputy City Clerk

APPROVED MARCH 11, 2003

Mayor of the Council
of the City of Burbank