

TUESDAY, JANUARY 7, 2003

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 5:03 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. Campos, 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.
- 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

Regular Meeting Reconvened in Council Chamber The regular meeting of the Council of the City of Burbank was reconvened at 6:48 p.m. by Mr. David Laurell, Mayor.

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Invocation The invocation was given by Reverend Tania Kleiman, Olive Branch Ministries.

Flag Salute The pledge of allegiance to the flag was led by Teri Bastian, President of the Burbank Tournament of Roses Association.

ROLL CALL

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

Absent - - - - Council Members None.

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

301-1
Environmental
Ambassador
Pilot Program
Grant Mayor Laurell invited Claudene Bell, representing the Burbank Unified School District (BUSD), to the podium to make a presentation on the Environmental Ambassador Pilot Program Grant. She announced the State has awarded the BUSD a two-year grant in the amount of \$90,000, and expressed appreciation to the Public Works Department and the Burbank Recycle Center for their assistance in securing the grant.

305-2
Burbank
Tournament of
Roses Mayor Laurell invited Teri Bastian, President of the Burbank Tournament of Roses Association, to make a presentation on this year's award-winning float, "Bathtime Friends", which was awarded the Founder's Trophy for the most beautiful entry built and decorated by volunteers from the sponsoring community or organization. She introduced Julie Andrews, designer of the float, and expressed appreciation to the City for their continuing support and to their many volunteers.

301-1
Colony Theater
Ovations Mayor Laurell presented a proclamation honoring the Colony Theatre to Barbara Beckley, Executive Director, for their recent nomination of 15 Ovation Awards and for winning six of those awards. He noted that Ovation Awards are the Los Angeles Area's only peer-judged professional theatre competition, and are theater's version of the Academy Awards.

301-1
Amelia Earhart
Week Mayor Laurell presented a proclamation in honor of Amelia Earhart Week to Laurel Schaeffer, representing the Burbank Area Zonta Club. Ms. Schaeffer presented a check to the Burbank Public Library for the purchase of material related to the life and achievements of Amelia Earhart. Sharon Cohen, Interim Library Services Director and Zonta Club Member received the donation.

7:46 P.M. Jt. Hearing w/ Redev. Agency 1702 Opportunity Site No. 2 (Old Police Block) Mayor Laurell stated that, "this is the time and place for the joint public hearing of the Redevelopment Agency and the Council of the City of Burbank regarding the Burbank Village Walk project proposed by Olson Urban Housing LLC. Staff has recommended that this matter be continued to February 11, 2003. What is the Council's pleasure? Is there any discussion or a motion?"

Motion It was moved by Ms. Murphy and seconded by Mr. Golonski that "the hearing be continued to February 11, 2003."

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.

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

406 Airport Authority Meeting Report Commissioner Wiggins reported that at the Special Meeting of December 30, 2002, the Airport Authority approved a letter, signed by President Holden, be sent to the Burbank City Council encouraging the Council to invite Burbank residents, members of adjacent communities, the airlines and other stakeholders at the airport to participate in a proposed meeting with the Federal Aviation Administration (FAA).

 The Council received the report.

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 C.L. Stack, commenting on the recent Metrolink train derailment; R. C. "Chappy" Czapiewski, on recent news articles regarding Mr. Ovrom's decision to apply for a position with the City of Los Angeles; Bill Orr, commenting on the Airport Authority's Special Meeting of

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December 30, 2002; Peggy Nudo, commenting on the Measure A election and requesting a Restore Our Airport Rights (ROAR) representative be invited to attend the meeting in Washington, D.C. with the Federal Aviation Administration (FAA); Howard Rothenbach, requesting that more agendas be made available at the Buena Vista Library, as well as an entire agenda packet, and commenting on the Metrolink train derailment; Esther Espinoza, commenting on the Metrolink train derailment and damage caused by the windstorm; Phil Berlin, requesting Council accept a ROAR delegate to attend the FAA meeting; Molly Hyman, in support of a community representative being invited to attend the Washington, D.C. meeting with the FAA, and requesting that the representative be nominated by the ROAR Committee; Stan Hyman, in support of a community representative, chosen by the ROAR Committee, attending the meeting in Washington, D.C. with the FAA; Michael Porco, commenting on child care needs in the City; and Dr. Theresa Karam, in support of a community representative, chosen by the ROAR Committee, attending the meeting in Washington, D.C. with the FAA.

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 Chris Carson, President of the League of Women Voters, in support of the League conducting a candidate's forum for the upcoming February election, and noting the request by the Burbank Teachers Association (BTA) to co-sponsor the forum subsequent to the League presenting their request to the Council; C.L. Stack, on the Council's position with regard to a curfew at the Burbank Airport, noting that a curfew from 11:00 p.m. to 6:30 a.m. may be more acceptable to the FAA than the proposed 10:00 p.m. to 7:00 a.m. curfew; Esther Espinoza, commenting on the award of contract documents for Bid Schedule 1131, and traffic conditions at the intersection of Buena Vista Street and Vanowen Street; Michael Bergfeld, commenting on the FAA not imposing its will on the B-6 property with regard to construction of a new airport terminal, on the development of the Old Police Block at the corner of Olive Avenue and Third Street and on the need to create a design concept for the downtown area; Irma Loose, in opposition to Ms. Murphy and Mr. Golonski representing the City at the FAA meeting in

Washington, D.C., and requesting a ROAR representative be included at all meetings with the FAA; Peggy Nudo, on safety issues at the Burbank Airport being the motivation to move the terminal; Bob Etter, stating that Wal-Mart has shown interest in the B-6 Property, and requesting that Ms. Murphy recuse herself from the discussions with the FAA in Washington, D.C. due to the fact that she has stated in the past that she would not be in support of a Wal-Mart development in Burbank; Eden Rosen, on invocations at Council meetings, on recent Court rulings leading to Burbank's lawsuit being appealed to the Supreme Court, and questioning the criteria used by the City to issue proclamations.

David Piroli, commenting on the construction of improvements on Vanowen Street, specifically the intersection of Buena Vista and Vanowen Streets, inquiring about the cost of hiring consultants with regard to the development of a comprehensive policy on airport facilities, in support of implementing a Conditional Use Permit process with regard to development at the airport, and commenting on a recent response by a 911 Operator; Howard Rothenbach, in support of Flashing Beacon Crosswalk Improvements as part of the Safe Routes to School Grant, and in support of a member of the community, chosen by the ROAR Committee, attending the FAA meeting in Washington, D.C., reading from the January 3, 2003 letter to Mayor Laurell from the Airport Authority President Chris Holden and requesting that copies of the December 19, 2002 and January 3, 2003 letters be included in the agenda packet when this matter returns to Council; Susan Bowers, Executive Director of the Burbank Chamber of Commerce, in support of their request to conduct a candidate forum after the Primary Election and prior to the General Election; Dr. Theresa Karam, reading from the FAA's December 19, 2002 letter to the Airport Authority, requesting a copy of the letter Mr. Holden sent to Mayor Laurell dated January 3, 2003 be provided to the public, and in support of a ROAR Committee member being included at the meeting with the FAA in Washington, D.C.

Staff
Response

Members of the Council and staff responded to questions raised.

Motion

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

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802-4
Submission of
FY 01-02
CAFR

The fiscal Year End 2001-02 Comprehensive Annual Financial Report (CAFR) was submitted to Council by the Financial Services Department, regarding the annual audit of the City of Burbank and its component units. The report stated that Fiscal Year (FY) 2001-02 was the first year that the City was reporting the annual financial results under the new reporting model required by the Governmental Accounting Standards Board Statement No. 34 (GASB 34), Basic Financial Statements and Management's Discussion and Analysis (MD&A), for State and Local Governments. The statements, under GASB 34, are presented on a government-wide basis designed to provide readers with a broad overview of all the City's finances including the Redevelopment Agency, Housing Authority, Parking Authority, the Burbank Community Services Fund and Youth Endowment Services (YES) Fund. The new statements include the statement of net assets which presents information on all of the City's assets and liabilities, with the difference between the two reported as net assets and, the statement of activities which presents information showing how the City's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Another new feature of the GASB 34 format is the Management's Discussion and Analysis (MD & A). This analysis begins the financial section of the CAFR and serves as the executive summary.

The CAFR will be submitted for a national achievement award to the Government Finance Officers Association (GFOA). To earn this award, the City must publish an easily readable and efficiently organized CAFR, whose contents conform to the standards of the award program. The award is valid for one year only. The City of Burbank has received this award for 18 consecutive years and staff believes that the report submitted to the Council will continue to conform to the standards established by this award program

1204-1
Approval of
Final Tract Map
No. 53381

The Council noted and filed the report.

RESOLUTION NO. 26,397:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 53381 (4100 KLING STREET).

1301-3
Vanowen St.

RESOLUTION NO. 26,398:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK

Improvement Proj. (B.S. 1131) APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE 2001-2002 GENERAL FUND VANOWEN STREET IMPROVEMENT PROJECT, BID SCHEDULE NO. 1131.

1205-2 PUE Vacation At 220 S. Sunset Canyon (V-349) RESOLUTION NO. 26,399:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE SUMMARY VACATION OF A PUBLIC SERVICE EASEMENT AT 220 SOUTH SUNSET CANYON DRIVE, BURBANK, CALIFORNIA (V-349).

404 Santa Monica Mountains Conservancy Agmt. w/L.A. County (Brace Cyn Rd.) RESOLUTION NO. 26,400:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE SALE PRICE OF CERTAIN TAX DEFAULTED PROPERTY AS BETWEEN THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY AND THE SANTA MONICA MOUNTAINS CONSERVANCY.

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.

414 Appointment to The Greater L.A. Vector Control District Mrs. Campos, City Clerk, requested Council consideration of making one appointment to the Greater Los Angeles County Vector Control District Board of Trustees, noting the vacancy is for a four-year term ending on January 1, 2007. She reported that the City Clerk's office began advertising for the vacancy on November 1, 2002, that the extended deadline to submit applications expired on December 17, 2002, and that as of that deadline, applications had been received from Harvey Paskow and Adam Rocke. She added that a random drawing was conducted to select the order that the two applicants appeared on the voting sheets, and reported the order was Harvey Paskow, and Adam Rocke. Mrs. Campos concluded by reminding the Council they may cast only one vote, as there is only one vacancy.

Following a vote of the Council, Adam Rocke was appointed for a term ending January 1, 2007.

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804-3
403
801-2
Accept Safe
Routes to
School
Grants

Mr. Johnson, Traffic Engineer, requested Council approval of a resolution authorizing the acceptance of grant funds from the California Department of Transportation (CalTrans) for two Safe Routes to School grants, noting the Safe Routes to School grant program is designed to improve and enhance the safety of pedestrian and bicycle facilities and related infrastructure on identified school travel routes, and that the program provides 90 percent financing for approved projects. He stated the Council authorized application for the grants in May 2002, and on November 5, 2002 Caltrans notified staff that both grants were approved for a total of \$139,500. Mr. Johnson stated the criteria used in the grant award process as comprising of two elements: sidewalk construction and pedestrian protection at traffic signals.

With regard to sidewalk construction, he identified three specific locations as follows: George Washington School on Winona Avenue (850 feet), Emerson Elementary School on Kenneth Road (150 feet), and Bret Harte Elementary School on Ontario Street (1,500 feet).

As to the installation of pedestrian protection devices, Mr. Johnson informed the Council that additional safety devices would be installed at four traffic signals to extend green walk time for schoolchildren where traffic volume is high, the crosswalk is long, or traffic speeds are high, in order to ensure that children have adequate time to cross the street with minimal impact on intersection efficiency. He noted total construction cost for this project is \$75,000 and identified the locations of the safety devices as follows: San Fernando Road and Buena Vista Street (Washington School), Victory Boulevard and Olive Avenue (Walt Disney School), Victory Boulevard and Alameda Avenue (McKinley School), and Alameda Avenue and Main Street (McKinley School).

Mr. Johnson noted the total cost of the two projects is \$155,000, \$139,500 of which is covered by the Safe Routes to School grant, and the remaining \$15,500 is a local contribution required by the grant, that the \$139,500 covered by the grant will be initially funded from Fund 125 (Gas Tax Fund), and that Caltrans will reimburse the City for these costs at the end of the project.

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

804-3 RESOLUTION NO. 26,401:

403
801-2
Accept Safe
Routes
School
Grants

to

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING SAFE ROUTES TO SCHOOL GRANT FUNDS IN THE AMOUNT OF \$139,500 FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, AND THE CITY'S LOCAL CONTRIBUTION IN THE AMOUNT OF \$15,500.

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.

406
1702
Dev. Of a
Comprehensive
City Policy on
BGPA Facilities:
Zoning/Specific
Plan Process

Mr. Forbes, Senior Planner, reported that on November 5, 2002 staff presented a proposed outline for a process that would result in the development of a comprehensive City policy, including the development of a specific plan. At that time, the Council requested that additional information be provided in several areas including a better defined and more directed scope of work for the entire plan and policy development process, and additional information and options for completing the proposed process using in-house staff. He noted that the Council had directed staff to pursue the creation of permanent zoning measures that ensured compatible development with existing and emerging City policies.

Mr. Forbes stated that staff has identified three possible courses of action as follows: Conditional Use Permit (CUP) or other discretionary approval for all airport development, amending the Zoning Ordinance such that all uses in the Airport zone, including passenger terminals, would require a CUP or other similar approval from the city; Airport Zone Development Standards, amending the Zoning Ordinance to create development standards for the Airport Zone, to the extent permitted by law; Airport Specific Plan, similar to the Media District Specific Plan and the Burbank Center Plan that would provide a comprehensive planning strategy for the airport area and provide the City with the greatest degree of protection against incompatible airport development by creating a complete set of land use policies and associated development standards as well as provide the City with the ability to analyze airport development in the long-term and consider the cumulative impacts of airport development. He further noted that Community Development staff members would be responsible for managing these efforts and would hire consultants only when necessary for specific expertise or

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task-specific requirements. He added that staff's recommendation was to proceed with the preparation of an Airport Specific Plan.

Ms. Murphy noted her opposition to the Airport Specific Plan option, stating that in light of the events of September 11, 2002, many unanticipated events could occur and she believed that decisions could not be made prior to any incident occurring. Ms. Murphy expressed her support for option 1, Conditional Use Permit or other discretionary approval for all airport development.

Motion It was moved by Mrs. Ramos and seconded by Mr. Vander Borght that "staff be directed to move forward with option 3 (Airport Specific Plan)."

Carried The motion carried by the following vote:

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

Noes: Council Member Murphy.

Absent: Council Members None.

9:40 P.M. Mrs. Ramos left the meeting at this time due to an indirect
Mrs. Ramos Left conflict of interest as one of her clients is a proprietor at the
the Meeting Equestrian Center.

202 Mrs. Lazar, Principal Planner, reported that the City of Los
405-1 Angeles has proposed establishing an Advisory Board for the
LA Equestrian Los Angeles Equestrian Center and has offered the City of
Center Advisory Burbank an opportunity to participate on this Board. She noted
Board that the Equestrian Center is technically in the City of Los
Angeles, but the entrance and exit is from Riverside Drive in
Burbank. The proposed Board would advise the Los Angeles
Recreation and Parks Board of Commissioners on various issues
including capital improvements, remodeling, trail development
and maintenance, services offered and scheduling events, as
well as review and recommend any proposed non-equestrian
events. The Advisory Board would consist of eight members,
two each from the cities of Los Angeles, Burbank, Glendale
and two from the Equestrian Center.

Mrs. Lazar stated the proposal was first presented to the Council on September 9, 2002, at which time a representative

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9:50 P.M.
Mr. Vander
Borgh Left the
Meeting

Mr. Vander Borgh recused himself at this time due to him being a Council candidate in the upcoming election.

204
Request to
Conduct
Candidate
Forums in
February 2003

Mr. McManus, Public Information Officer, reported that the League of Women Voters of Glendale/Burbank and the Burbank Chamber of Commerce had requested that the City facilitate the production and broadcast of the Candidates Forum in the City Council Chamber. He added that the League of Women Voters is proposing that their Candidate Forum be held on Wednesday, February 12, 2003 at 7.00 p.m. and the Chamber of Commerce proposal was to conduct a forum at a date to be determined but certainly after the Primary Election and before the General Election. He concluded with the recommendation that the Council consider the requests from both the League of Women Voters and the Burbank Chamber of Commerce and approve having the City pay the production and broadcast costs for both forums.

Mr. Golonski requested that the Burbank Teachers Association (BTA) not co-sponsor the League's forum as individual BTA members may have endorsed candidates in past elections and are very active participants in political campaigns.

Motion

It was moved by Ms. Murphy and seconded by Mr. Golonski that "the League of Women Voters conduct a forum for the Primary and the Chamber of Commerce conduct a forum for the General Election."

Carried

The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borgh.

10:06 P.M.
Mr. Vander
Returned to the
Meeting

Mr. Vander Borgh returned to the meeting at this time.

Ordinance
Submitted

It was moved by Ms. Murphy and seconded by Mr. Golonski that "Ordinance No. 3614 be read for the second time by title

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caregivers for victims of Alzheimer's, and on a December article in the Toluca newspaper on family caregiver issues; LaVerne Thomas, commenting on the City's Transportation Element, and the fact that it has not been completed for the past several years even though it goes hand-in-hand with the City's Land Use Element.

Staff
Response

Members of the Council and staff responded to questions raised.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:28 p.m.

Margarita Campos, City Clerk

APPROVED MARCH 11, 2003

Mayor of the Council
of the City of Burbank