

TUESDAY, FEBRUARY 18, 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 5:00 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.

5:01 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.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 4
- 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. Threat to Public Services of Facilities:  
Pursuant to Govt. Code §54956.5  
**Consultation with:** Fred Lantz, Burbank Water and Power Assistant General Manager – Water Systems.

2/18/03

- e. Public Employee Appointment:  
Pursuant to Govt. Code §54957  
**Title of Position:** City Manager.  
**Brief description of position to be filled:** Administrative Head of Burbank City Government.

Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:44 p.m. by Mr. Laurell, Mayor.

Invocation      The invocation was given by Chaplain Jon Arnold, St. Joseph Medical Center.

Flag Salute      The pledge of allegiance to the flag was led by Mr. Ovrom, City Manager.

ROLL CALL

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

Absent - - -      Council Members None.

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

301-1  
Mr. Ovrom's Resignation      Mayor Laurell honored Mr. Ovrom upon his confirmation by the Los Angeles City Council as the new Executive Director of the Community Redevelopment Agency of Los Angeles. Mayor Laurell noted many accomplishments which came to fruition throughout Mr. Ovrom's tenure, including: the opening of the original AMC theatre, the Behunin and Cusumano buildings, Columbia Plaza, Media District North and the development and opening of the Media City Center. Mayor Laurell also stated Mr. Ovrom was instrumental in bringing a diversified commercial base to Burbank including Ikea, Vons, Fry's Electronics, and the Empire Center, and also noted his guidance to the completion of projects including the refurbishment of all Burbank Fire Stations, construction of the Fire Training Center, opening of the Recycle Center, Starlight Bowl, McCambridge Park improvements, the joint Police/Fire Headquarters, the Colony Theatre, the Stough Canyon Nature Center and the New Buena Vista Library. Mayor Laurell also mentioned a number of housing projects completed under Mr. Ovrom's tenure including the Elmwood project, the Belmont Village projects, the Cusumano Senior Housing project and the David M. Paul Housing and Childcare project currently under construction. Mayor Laurell noted Mr. Ovrom's greatest legacy to the City of Burbank as the strong team of professionals that

he assembled to ensure Burbank is a place where residents are safe, services, public facilities and programs are top quality, and where the economic base continues to be vibrant and strong.

Mayor Laurell then introduced and expressed appreciation to former Council Member Mary Lou Howard, whose efforts brought Mr. Ovrom to the City of Burbank, and introduced Mrs. Denise Ovrom, and Shelly Ovrom. Individual Council Members, Mrs. Campos and Mrs. Anderson expressed appreciation to Mr. Ovrom for his outstanding leadership as Burbank City Manager.

Mr. Ovrom expressed appreciation to the Council, staff and community and noted the strong management team capable of carrying on the business of the City.

301-1  
Water is Life

Ms. Rude, Customer Programs Assistant, reported for the past three years Burbank Water and Power and the Metropolitan Water District have held a contest entitled Water is Life. She noted all five Burbank high schools participated this year and presented the winners: Katherine Chung (Burbank High School) who was unable to attend but was represented by Britta Maslik, Counselor; Sara Estrada (Monterey High School); Vincent Benitez (Monterey High School) and Isabel Dominguez (Monterey High School), whose poster was selected for the cover of the Metropolitan Water District's annual calendar. Mayor Laurell presented Certificates of Recognition to the winners. Ms. Rude recognized the following counselors and teachers from the participating schools Ann Brooks, Principal and Peggy Zarves, Art Teacher, Monterey High School, and Britta Maslik, Counselor, Burbank High School.

Additional  
Agenda Item

Mr. Barlow stated that an additional item related to the appointment of an acting City Manager for the interim period until the appointment of a new City Manager be added to the agenda stating 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."

Motion

It was moved by Ms. Murphy and seconded by Mr. Vander Borcht that "the additional agenda item related to the appointment of an acting City Manager for the interim period until the appointment of a new City Manager be added."

7:15 P.M.  
Hearing

Mayor Laurell stated that "this is the time and place for the hearing on the confirmation of the itemized written report of

2/18/03

1211  
Weed  
Abatement

the Agricultural Commissioner/Director of Weights and Measures for the County of Los Angeles regarding the abatement of nuisances by the removal of weeds, rubbish, refuse, and dirt from certain real property pursuant to Resolution Number 26,178 of this Council."

Notice  
Given

The City Clerk was asked if any objections to the report had been filed. She advised that no objections had been received.

Staff  
Report

Staff presented a report requesting Council approval of a resolution ordering the abatement of nuisances caused by weeds and debris on private properties listed in Resolution No. 26,427, authorizing an assessment for cost reimbursement to the County of Los Angeles, and giving notice for subsequent weed and debris abatement if required. The purpose of the annual weed abatement program is to remove the nuisances created on various private properties by weeds, rubbish, refuse, and brush, which include potential fire hazards and a haven for rodents and vectors.

The report stated written notice of the public hearing was mailed to each property owner declared in the resolution notifying them of the time and place for appeal and informing them that the owners of the privately-owned properties may complete the abatement themselves or have the County of Los Angeles Weed Abatement Division clear their property. If the property is cleared by the County, the owner's property tax bill would be assessed for reimbursement for the cost incurred.

This program has no fiscal impact to the City's General Fund or the Redevelopment Agency budget other than incidental administrative costs.

Hearing  
Closed

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

Motion

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

1211  
Weed  
Abatement

RESOLUTION NO. 26,433:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE ABATEMENT OF NUISANCES IN THE CITY OF BURBANK, AS CONTEMPLATED BY COUNCIL RESOLUTION NO. 26,427.

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.

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

406  
 Airport  
 Authority  
 Meeting Report  
 of February 18,  
 2003

Commissioner Wiggins expressed appreciation to Mr. Ovrorn for his service and leadership to the City of Burbank. He reported on the Airport Authority meeting of February 18, 2003 and stated in addition to approving the minutes, Resolution 381 was passed, adopting an amended Fiscal Year (FY) 2002-03 budget, with spending amendments of \$41 million, \$16 million of which represented the take-back from the Aviation Leasehold and \$24 million for the terminal security project. He added a hangar lease was awarded to Chartwell Aviation Services and the Authority received a briefing on alternative fuel vehicles, noting the Airport Authority had hired the Clean Fuel Connection to provide the Legal and Environmental Committee with a matrix of grants available to aid in replacing the current fleet of buses with alternative fuel vehicles. He stated the Authority also received a report from Mr. Wolfe, representing Landrum and Brown, on the progress of the Part 161 Study.

Mr. Wolfe briefly addressed the Council on the status of Phase II and III of the Part 161 Study, and schedule of events, including: completion of the Restricted Passenger Forecast by March 2003; completion of the Benefit-Cost Analysis by June 2003; selection of the restriction upon which to base the Part 161 Study application by September 2003; Federal Aviation Administration (FAA) determination of environmental requirements by October 2003; the Draft Part 161 Study application scheduled for January 2004; the required public outreach period will run from February through May 2004; and, submission of the Part 161 Study application to the FAA by August 2004, adding the FAA has 180 days upon which to approve or disapprove the application.

Mr. Golonski encouraged Commissioner Wiggins to advocate for the replacement of the Airport's current fleet with alternative fuel vehicles, regardless of the Authority's success in securing a grant for that purpose.  
 The Council noted and filed the report.

First Period of Mr. Laurell called for speakers for the first period of oral

2/18/03

Oral Communications communications at this time.

Citizen Comment Appearing to comment were Frank Barneburg, expressing appreciation to Mr. Ovrom for his outstanding service to the community; Mark Barton, requesting Mr. Ovrom remain in Burbank; Mike Daniels, in support of Measure L, the library bond measure; Rich Sarquiz, in support of Measure L and expressing appreciation to Mr. Ovrom for his service to Burbank; Michelle Williams, in support of Measure L; Yasmine Wolfe, in support of Measure L; Esther Espinoza, requesting the City's employee unions support her in the February 25, 2003, Primary Nominating Election; Stan Hyman, in opposition to Measure L; Tom Bruehl, in support of Measure L; Vic Georgino, in support of Measure L; and Howard Rothenbach, in support of Measure L.

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 Frank Barneberg, presenting his qualifications for appointment to the Los Angeles Equestrian Center Advisory Board and requesting Council support for such appointment; Eden Rosen, commenting on various affordable housing issues; Thomas Kaptain, in support of the lobbyist registration ordinance; Esther Espinoza, commenting on various affordable housing issues; Mike Nolan, in opposition to the adoption of the Burbank Village Walk ordinance; Mark Barton, commenting on the oral communications policy at Council meetings; David Piroli, commenting on the relocation of Desmond's Studio Production Services, on the oral communications policy at Council meetings and inquiring how the City paid for alternative fuel vehicles; and Howard Rothenbach, commenting on the oral communications policy at Council meetings.

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

906 203 Mrs. Georgino, Community Development Director, expressed appreciation to members of the Blue Ribbon Task Force on

Jt. Mtg. with  
Redev. Agency  
Blue Ribbon  
Task Force on  
Affordable  
Housing  
Recommend.

Affordable Housing (Task Force), and stated the Task Force would be presenting a summary of their findings, including recommendations to address the community's affordable housing needs. She noted the passing of Eric Levinson, who was an active member of the Task Force, and introduced Gay Maund, Past Chair Person and Member of the Burbank Senior Board and the Community Development and Goals Committee; and Yasmine Wolfe, Past President of the Burbank Board of Realtors.

Ms. Maund reported in December 2001, the Council approved the 2001 Housing Profile which identified a growing affordable housing crisis in the community. As an outgrowth of this study, the Council directed the Redevelopment Agency to form a Task Force to explore creative solutions to address critical housing needs. She noted the Task Force's finding that affordable housing was a concern for residents at all income levels with the concept of affordability applying to single persons and large families, owners and renters, the young and the elderly, as well as individuals who spend 30 percent or more of their income on housing costs. She identified the make-up of the 16-member Task Force, reflecting a cross section of individuals including renters and home-owners, senior citizens, disabled, local realtors, developers, apartment owners, the Burbank Unified School District, members of the Planning Board, Landlord-Tenant Commission, Council on Disabilities, Senior Board and the Fair Housing Council. She noted Council Member Ramos chaired the Task Force and Council Member Golonski was a member of the Task Force.

She added over a six-month period, the Task Force focused on gathering information about the community's housing needs, resources and current housing activities, and involved several field trips to the community. Several brainstorming sessions were also held on overall housing objectives and on developing consensus as to the most effective housing programs.

Ms. Wolfe addressed the Task Force's challenge of developing ways to maintain and improve the affordable housing stock in Burbank, noting the recommendations are visionary and set a high standard for Burbank. She noted the major housing crisis in Southern California with most renters paying over 50 percent of their incomes on housing, cited the benefits of affordable housing and presented a videotape summarizing the findings of the Task Force.

Mrs. Georgino, noted the Task Force's efforts to provide the Council with a multi-faceted approach to address the community housing issues as well as a tool-kit with possible options to explore. She also acknowledged staff's efforts,

2/18/03

including the efforts of Duane Solomon and Barbara Lazar, Community Development Department, Karen Warner, Consultant, former Redevelopment Manager Susan Evans, and the Public Information Office on the production of the video presentation.

The Council Members expressed appreciation to the Task Force Members, noting the service of Mrs. Ramos, as Committee Chair, and Mr. Golonski, and staff's efforts.

Mr. Golonski requested that staff bring back to the Council a report on inclusionary housing.

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

906 RESOLUTION NO. 26,434:  
203 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Blue Ribbon ACCEPTING THE BLUE RIBBON TASK FORCE'S  
Task Force on RECOMMENDATIONS ON AFFORDABLE HOUSING  
Affordable OBJECTIVES AND PROGRAMS.  
Housing  
Recommend.

Redev. Agency Redevelopment Agency Resolution No. R-2056 Accepting the  
Reso. Adopted Blue Ribbon Task Force's Recommendations on Affordable  
Housing Objectives and Programs was adopted.

Adopted The resolutions were adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

9:15 P.M. The Council recessed at this time to hold a closed session on  
Recess to the following:  
Closed Session

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):** 4

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. Threat to Public Services of Facilities:

Pursuant to Govt. Code §54956.5

**Consultation with:** Fred Lantz, Burbank Water and Power Assistant General Manager – Water Systems.

e. Public Employee Appointment:

Pursuant to Govt. Code §54957

**Title of Position:** City Manager.

**Brief description of position to be filled:** Administrative Head of Burbank City Government.

9:46 P.M.  
Reconvene

The Council reconvened at this time with all members present except Mrs. Ramos.

Reporting on  
Closed Session

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

9:46 P.M.  
Jt. Mtg. with  
Redev. Agency,  
Housing Auth.,  
Parking Auth.,  
and YES Fund  
Board  
802-1  
2003 Investment  
Policy

Ms. Anderson, City Treasurer, presented the re-written 2003 investment report which was submitted for a certification award to the Municipal Treasurer's Association of the United States and Canada. She stated the 2002 report was presented and did not attain certification. She noted a few changes including the decreased liquidity amount based on the appropriations of the current budget, the removal of repurchase agreements as permitted investments since these types of investments have not been made since 1994, and the addition of a new broker-dealer who has been working with the department for a year.

2/18/03

Motion It was moved by Ms. Murphy and seconded by Mr. Golonski that "the 2003 Investment Policy be approved."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

802-1  
Treasurer's  
Report

Ms. Anderson presented a historical perspective of the Dow Jones Industrial Average with the help of a visual aid and noted the fluctuating investment rates. She noted there have not been any major changes in the portfolio with earnings at approximately 3.5 percent and the liquidity account earning at approximately 2.205 percent. She noted the earnings for the portfolio in January 2003 were still the same while the liquidity account dropped.

The Council noted and filed the report.

9:56 P.M.  
Recess

The Council recessed to permit the Redevelopment Agency and Youth Endowment Services Fund Board to hold their meetings. The Council reconvened at 9:57 p.m. with all members present except Mrs. Ramos.

202  
Appt. to the  
L.A.  
Equestrian  
Center Advisory  
Board

Mrs. Campos presented a report requesting Council consideration of appointing two members and two alternates to the Los Angeles Equestrian Center (LAEC) Advisory Board, noting one board member will be appointed to a two-year term ending January 2005, and the other board member to a one-year term ending January 2004, and that alternates would replace the appointed members in the event the appointed members could not serve.

She reported at the Council meeting of January 7, 2003, the City Clerk's Office was directed to solicit applications for these positions; on January 10, 2003, the City Clerk's Office began advertising and accepting applications; and, as of the February 3, 2003 deadline, eighteen applications had been received. Mrs. Campos stated a random drawing was conducted to select the order that the names of the applicants would appear on the voting sheets, and that the order was as follows:

Karol E. Carleton; Geraldine H. Rondou; Floran Frank; Melissa L. Hyams; Charles P. Curcuruto; Bill Kelley; Vera Rubin; Ralph J. Herman; Jay J. Geisenheimer; Lisa Maria Dyson; Cathy Landis; Jean M. Schanberger; Esther M. Barr; Diana Woolley; Frank R. Barneburg; Maureen Stratton; Bea Ellen Cameron; and John A. Canavan.

Mrs. Campos reported on February 14, 2003, Mr. Bill Kelley, one of the applicants, withdrew his application, and consequently his name was removed from the voting sheets, leaving a total of 17 applicants. Next, Mrs. Campos outlined the voting process which allows as many votes as there are vacancies for each term on the LAEC Advisory Board, and recommended if the Council wished to make any changes to the process, such process should be clarified prior to any voting.

Following a vote of the Council, Karol E. Carleton was appointed for a two-year term; Jay J. Geisenheimer for a one-year term; Maureen Stratton as an alternate for the two-year term; and, Ralph J. Herman as an alternate for the one-year term.

701  
412  
Library Literacy  
Joint Venture  
Between the  
City of Burbank/  
Library and  
BUSD

Mrs. Cohen, Interim Library Services Director, presented a report on the proposed joint venture between the Library and the Burbank Unified School District (BUSD), noting the proposed joint venture was referred to as the Student Homework And Research Enrichment (SHARE) and was subject to modification.

She stated the Board of Education would be reviewing the proposed project with the final agreement to be presented to the Council on or before March 18, 2003. She noted the goals of the program which include: empowering parents to support their children's school success as they enter school; developing basic reference and research skills in 4th grade students; developing more advanced research skills in 8th grade students; supporting 11th grade students in computer proficiency; providing homework assistance, a homework center and a place for students to study; and providing a mechanism to expand the partnership between the Library and the BUSD. She then discussed the different responsibilities for the Library and the BUSD.

Mrs. Cohen stated the partnership had no fiscal impact but noted a future need for two positions for a librarian and a library assistant as part of the ramp-up to operate the new Central Library. She also noted the City's agreement to provide

transportation to 4<sup>th</sup> grade students to the Library with the additional cost anticipated to be covered with existing resources.

Mr. Golonski noted concern regarding the future costs of the proposed joint venture, in light of the anticipated budgetary deficits and requested the department absorb the extra costs of the program with existing resources.

Mrs. Cohen noted the agreement was a requirement for the library construction grant application. Mr. Golonski recognized that requirement, but cautioned if Mrs. Cohen needed additional staff for this new program, other departmental positions may have to be eliminated, as the budget deficit does not currently provide for new positions.

Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "the report be noted and ordered filed."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

406  
1702  
BGPA Request  
to amend Grant  
Of Easements to  
Permit  
Temporary Use  
by Desmond's  
Studio  
Production

Ms. Riley, Senior Assistant City Attorney, reported on the request from the Burbank-Glendale-Pasadena Airport Authority to amend a Grant of Easements document regarding the Trust Property to allow the temporary use of approximately 20 acres of the M-2 zoned portion of the Trust Property by Desmond's Studio Production Services (Desmond). The proposed amendment would allow for temporary use until September 1, 2003 or until Desmond relocated to the permanent site on the adjacent property.

Ms. Riley stated pursuant to Public Utilities Commission (PUC) Section 21661.6, the Council adopted Resolution 26,348 approving the Airport Authority's plan to lease approximately 25 acres of the adjacent property portion of the former Lockheed B-6 site by Desmond as a movie production vehicle and equipment storage facility. She added the Council also authorized staff to enter into the appropriate amendment or modification to the November 16, 1999 adjacent property easements required to allow Desmond to use that portion of the adjacent property. On November 4, 2002, the Burbank Planning Board approved a Conditional Use Permit for the

relocation of Desmond to the adjacent property site.

She added Desmond was currently leasing property from the Airport Authority which is in escrow with another party, and the escrow is expected to close in May 2003, noting the Airport Authority needed to complete some improvements and demolition work on that site as an escrow requirement, and that Desmond's permanent site was not yet ready.

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

406 RESOLUTION NO. 26,435:  
 1702 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 BGPA Request APPROVING AN AMENDMENT OF THE "GRANT OF  
 to amend Grant EASEMENTS, DECLARATION OF USE RESTRICTIONS AND  
 Of Easements to AGREEMENT FOR TRUST PROPERTY" TO PERMIT  
 Permit TEMPORARY USE OF APPROXIMATELY 20 ACRES OF THE M-  
 Temporary Use 2 ZONED PORTION OF THE TRUST PROPERTY FOR USE BY  
 by Desmond's DESMOND'S STUDIO PRODUCTION SERVICES (BURBANK-  
 Studio GLENDALE-PASADENA AIRPORT AUTHORITY, APPLICANT).  
 Production

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

401 Mr. Barlow reported the Council requested staff to obtain and  
 201 review the City of Los Angeles' lobbyist registration ordinance  
 Lobbyist to aid in determining the necessity of such an ordinance for  
 Registration the City of Burbank. He stated the staff report summarized the  
 Ordinance City of Los Angeles' lobbyist registration ordinance, the  
 lobbyist registration ordinances of several other cities, the  
 State of California lobbyist regulations, and presented the  
 Council with a draft lobbyist registration ordinance as well as a  
 summary of the comments received from individuals in the  
 community. He noted staff was not able to identify a situation  
 in Burbank a lobbyist ordinance would remedy. He informed  
 the Council of the option to either adopt the draft ordinance  
 or direct staff accordingly regarding the desired ordinance.

Mr. Laurell indicated he was not supportive of the ordinance and stated it would create a layer of bureaucracy making

Burbank less business-friendly, and added there is no evidence of any problems existing with regard to lobbyists.

After Council deliberation, staff was directed to consider disclosure requirements for individuals entering into contractual agreements with the City, with the penalty for failing to disclose being that the contract be voided. Such disclosure would be available for public inspection, such as when bids are awarded. Mr. Vander Borcht stated he would be in favor of making this a policy, required as part of purchasing agreements. Mr. Barlow indicated the stated direction was sufficient for staff to proceed.

1503  
411  
Project Labor  
Agmt. and  
Maintenance  
Agmt. for MPP

Mr. Stevenson, Senior Assistant City Attorney, gave a report requesting Council approval for a Project Labor Agreement (PLA) and Maintenance Agreement for the Magnolia Power Project (Project). He stated the PLA would prohibit strikes and lockouts and provide for a grievance procedure that includes binding arbitration, and the Maintenance Agreement applied to all planned outage maintenance, major overhauls and other maintenance work performed on the Project by a contractor excluding the work performed by Southern California Public Power Authority (SCPPA) and City employees. He noted these agreements would commit the City to using Union labor. He added both agreements have been approved by the Magnolia Coordinating Committee and SCAPPA Board of Directors, and as the construction managers in charge of the Magnolia Project, the City of Burbank, would have to approve the agreements.

Motion

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

1503  
411  
Project  
Maintenance  
Agmt. for MPP

RESOLUTION NO. 26,436:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROJECT MAINTENANCE AGREEMENT FOR THE MAGNOLIA POWER PROJECT.

1503  
411  
Project Labor  
Agmt. for MPP

RESOLUTION NO. 26,437:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROJECT LABOR AGREEMENT FOR THE MAGNOLIA POWER PROJECT.

Adopted

The resolutions were adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Vander Borcht

and Laurell.

Noes: Council Members None.

Absent: Council Member Ramos.

201-1  
Amending  
Second Period  
of  
Oral  
Communications

Mr. Barlow reported the Council directed staff to present amendments to the current resolution to clarify the City's regulations on what is designated as the Second Period of Oral Communications, to allow speakers to address only those items on that meeting's agenda that are presented for possible action by the Council and any items that appear on that agenda for consideration by the Council in Closed Session. He noted the proposed amendments would not allow public comment during this period of Oral Communications on the ceremonial items, including the invocation, presentations, announcements, and the like. Such items could still be discussed by the public at either the First or Third Periods of Oral Communications where any item within the subject matter jurisdiction of the City Council may be discussed.

Motion

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

201-1  
Amending  
Second Period  
of  
Oral  
Communications

RESOLUTION NO. 26,438:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SUBSECTIONS A.6 AND A.11(A) OF RESOLUTION NO. 26,029, AS AMENDED BY RESOLUTION NO. 26,087, REGARDING THE SUBJECT MATTER OF SECOND ORAL COMMUNICATIONS BEFORE THE COUNCIL.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

Ordinance  
Submitted

It was moved by Ms. Murphy and seconded by Mr. Vander Borght that "Ordinance No. 3618 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702  
Approve PD

ORDINANCE NO. 3618:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK

2/18/03

2002-1 (Burbank Village Walk) APPROVING PLANNED DEVELOPMENT NO. 2002-1 AND A DEVELOPMENT AGREEMENT RELATED THERETO (BURBANK VILLAGE WALK).

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

10:54 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  
**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):** 4
- 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. Threat to Public Services of Facilities:  
Pursuant to Govt. Code §54956.5  
**Consultation with:** Fred Lantz, Burbank Water and Power Assistant General Manager – Water Systems.
- e. Public Employee Appointment:



Pursuant to Govt. Code §54957  
**Title of Position:** City Manager.  
**Brief description of position to be filled:** Administrative  
Head of Burbank City Government.

10:57 P.M.  
Reconvene                    The Council reconvened at this time with all members present  
except Mrs. Ramos.

1001  
Appointment of                Mr. Barlow, City Attorney, stated in light of Mr. Ovrrom's  
Acting City                        resignation, it was staff's recommendation that the Council  
Manager                            appoint an Acting City Manager for the interim period until the  
appointment of a new City Manager.

Mr. Vander Borght suggested that Ms. Alvord be appointed as  
Interim City Manager.

Motion                            It was moved by Mr. Vander Borght and seconded by Ms.  
Murphy that "Ms. Alvord serve as Interim City Manager  
beginning March 1, 2003."

Carried                            The motion carried by the following vote:

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

Motion                            It was moved by Mr. Golonski and seconded by Mr. Vander  
Borght that "Council authorize a five percent salary increase to  
Ms. Alvord for the interim period."

Carried                            The motion carried by the following vote:

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

11:01 P.M.  
Reconvene                        The Redevelopment Agency, Housing Authority, Parking  
Redeve. Agency,                Authority and Youth Endowment Services Fund Board  
Housing Auth.,                 meetings were reconvened at this time.

2/18/03

Parking Auth.,  
and YES Fund  
Board  
Meetings

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 was Tom Kaptain, recommending Ms. Alvord be considered to replace Mr. Ovrom as City Manager, and commenting on the Council's discussion relative to the failed proposed lobbyist registration ordinance.

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 11:06 p.m. in memory of Eric Levinson and to February 27, 2003 at 6:00 p.m. in the Council Conference Room for a Closed Session on:

- 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):** 4
- 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. Threat to Public Services of Facilities:

Pursuant to Govt. Code §54956.5

**Consultation with:** Fred Lantz, Burbank Water and Power  
Assistant General Manager – Water Systems.

- e. Public Employee Appointment:  
Pursuant to Govt. Code §54957  
**Title of Position:** City Manager.  
**Brief description of position to be filled:** Administrative  
Head of Burbank City Government.

\_\_\_\_\_  
Margarita Campos, City Clerk

APPROVED MAY 20, 2003

\_\_\_\_\_  
Mayor of the Council  
of the City of Burbank