

TUESDAY, MAY 6, 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 5:09 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

Present- - - Council Members Campbell (arrived at 5:18 p.m.), Golonski, Vander Borgh and Murphy.

Absent - - - Council Member Ramos.

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

Oral Communications Mayor Murphy called for oral communications on Closed Session matters at this time.

Citizen Comment Appearing to comment were Margie Gee, regarding the case of Karam v. City of Burbank, expressing her disagreement with the charges alleged in the referenced case; Clayton Cook, noting he has known Dr. Karam for two years, commenting on his opinion of her character; John Adair, identifying himself as a Board Member of the Greater Toluca Lake Neighborhood Council, commenting on his relationship with and personal opinion of Dr. Karam; Dr. Theresa Karam, reading form a letter to the Council dated May 6, 2003, outlining the chronology of events leading to the litigation in the case of Karam v. City of Burbank; Mike Nolan, commenting on the City Attorney's failure to provide addresses on Closed Session items, commenting on a special Airport Authority meeting on Monday, May 12, 2003; Chappy, commenting on the events which transpired in August 1999, wherein the charges filed against Dr. Karam ensued, and on the rights of public speakers during oral communications.

LaVerne Thomas, on criteria for litigation filed by the City, and urging the Council to accept the offer presented by Dr. Karam in the case of Karam v. City of Burbank; Ron Vanderford, commenting on the announcement of the Framework for Settlement in 1999, his recollection of the events which transpired on that date, urging the Council to accept the offer presented by Dr. Karam; David Piroli, commenting on the letter from the Federal Aviation Administration (FAA) to the Airport Authority giving the Authority 30 days in which to present a repayment plan to the FAA for funds disbursed for the construction of a new terminal, and urging the Council to settle the case of Karam v. City of Burbank; and Howard Rothenbach, urging the Council to settle the case of Karam v. City of Burbank, commenting on the letter received from the FAA by the Airport Authority dated May 2, 2003, and urging the Council to put the property back on the tax roll.

5:39 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:** Theresa Karam v. City of Burbank  
**Case No.:** U.S.C.A. 02-56220  
**Brief description and nature of case:** Alleged civil rights violation.
  2. **Name of Case:** Sonia Rozo v. City of Burbank.  
**Case No.:** EC034316  
**Brief description and nature of case:** Collision with BWP Customer Service Division employee.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 1
- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s):** 1
- d. Conference with Labor Negotiator:  
Pursuant to Govt. Code §54957.6  
**Name of the Agency Negotiator:** Management Services Director/John Nicoll.  
**Name of Organization Representing Employee:** Represented: Burbank Firefighters Association and Burbank Firefighters Chief Officers Unit.  
**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 6:34 p.m. by Ms. Murphy, Mayor.

Invocation

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

Flag Salute

The pledge of allegiance to the flag was led by Florence Nos, Chairperson of the Senior Citizens Advisory Board.

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ROLL CALL

Present- - - - Council Members Campbell, Golonski, Vander Borght and Murphy.  
Absent - - - - Council Member Ramos.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1  
Youth Basketball  
Recognition  
Mayor Murphy presented Certificates of Recognition to the Coaches and players of the Witcher Wizards, who placed 2<sup>nd</sup> in the Park, Recreation and Community Service 5<sup>th</sup> and 6<sup>th</sup> grade WNBA Division, with a record of 10 to 3. She commended the team for their athletic achievements, and the fine examples of sportsmanship they set on the court on behalf of the City of Burbank. Coaches Fran Witcher and Diane Shordon assisted Mayor Murphy in presenting certificates to the following players: Kristina Amela; Jurenne Belanio; Grata Chung; Emilia Cruz; Brittany Frederick; Kyla Hernandez; Kaycee Tashjian; Mariah Witcher; and Cindy Zargosa.

301-1  
Youth Basketball  
Recognition  
Mayor Murphy also presented Certificates of Recognition to the coaches and players of the Graceffo Tarheels, who won the Burbank Park, Recreation, and Community Services 7<sup>th</sup> Grade Boys Major Division with a perfect 11 to 0 record, and commended the following players for their athletic achievements as well as their fine representation of Burbank youth: Jordan Barrett; Joshua Bernhard; Matthew Bertole; Chris Burghdorf; Vance Butler; Michael DePalo; Tyler Kramer; Tyler McLaren; Brandon Rude; and Varag Zakarian.

301-1  
Mike Graceffo  
Recognition  
Mayor Murphy presented a Certificate of Recognition to Coach Mike Graceffo, a valued member of the City of Burbank Park, Recreation and Community Services Department since 1975, in recognition of his service to the community as a dedicated professional, and his dedicated involvement in recreational activities benefiting Burbank youth for many years. She noted Coach Graceffo's induction into the Catholic Youth Organization (CYO) Hall of Fame this spring, and his recent award of the California Park and Recreation Society Community Service Award.

301-1  
Burbank TMO  
Donation  
Mr. Flad, Park, Recreation and Community Services Director, recognized the Burbank Transportation Management Organization (TMO) for their donation to the Got Wheels Program. He made brief remarks about the TMO and their partnership with the City of Burbank, noting several of the

TMO's past programs. He introduced J.J. Weston, Executive Director of the TMO, who accepted a plaque from Mayor Murphy in appreciation for the TMO's financial support to the Burbank Got Wheels Program. Ms. Weston thanked Mayor Murphy for the recognition, noting the TMO's mission of traffic reduction and clean air programming to enhance the quality of life of Burbank citizens in partnership with the City.

301-1  
Older Americans  
Month

Mayor Murphy presented a Proclamation in honor of Older Americans Month to Florence Nos, Chairperson of the Senior Citizen Advisory Board.

Reporting on  
Closed Session

Mr. Barlow reported on the items considered by the City Council and the Housing Authority during the Closed Session meetings.

406  
Airport  
Authority  
Report

Airport Commissioner Lombardo reported on the Airport Authority's (Authority) regular meeting of May 5, 2003 and the Budget Study Session held thereafter. He reported at the regular meeting, the Authority approved an amendment to the agreements with Alaska, Aloha, America West and American Airlines, to include a take-back of approximately 856 square feet of ticket counter and office space which would result in a revenue loss to the Authority of approximately \$9900. He added the Authority also reported on the Closed Session approval of a change order in the amount of \$109,000 to Lerner Sign Co. for additional parking signage. He informed the Council a letter was received from Alaska Airlines regarding changing a 6:54 a.m. flight to comply with voluntary curfew and commented on the draft budget proposal, which he shared with the Council, stating the final budget would be completed by May 19, 2003 for submittal to the bond holders before June 1, 2003. He also added the Authority would be holding a special Closed Session meeting to discuss the letter received from the Federal Aviation Administration (FAA) Administrator Marian Blakey, on Monday May 12, 2003 at 9:00 a.m.

First Period of  
Oral  
Communications

Mayor Murphy called for speakers for the first period of oral communications at this time.

Citizen  
Comment

Appearing to comment were Stan Hyman, commenting that former Mayor Laurell will be working for the Boys & Girls Club of Burbank, after having voted to award them a Community

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Development Block Grant (CDBG); Mark Barton, commenting on the recent naming of Bud Ovrom Park; and Esther Espinoza, commenting on the promotion of City Manager Alvord and Mayor Murphy, and on the students attending the Ota-Burbank Student Exchange Program.

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

Second Period of Oral Communications Mayor Murphy called for speakers for the second period of oral communications at this time.

Citizen Comment Appearing to comment were Edmund Chow, in support of the Burbank adult lap swim program on a year-round basis; Doug Cramer, in support of the Burbank adult lap swim program on a year-round basis; Barbara Hupp, in support of Burbank's aquatics programs; Bob Kaczmarek, commenting on the proposed budget cuts, requesting the Council carefully examine the entire budget, noting Council expenditure of \$10,000 on private contractual services, and requesting careful review of the requests for position upgrades in a particular department when employees are facing layoffs in other departments; Margie Gee, commenting on the case of Karam v. City of Burbank, outlining the chronology of events leading up to charges filed against Dr. Karam; Esther Espinoza, on the selection of a Council delegate to attend a special League of California Cities meeting in Sacramento on May 15, 2003.

Ron Vanderford, encouraging the Council to settle the case of Karam v. City of Burbank, commenting on the recent Federal Aviation Authority (FAA) approval of a cap on flights at Long Beach Airport; Dr. Theresa Karam, outlining the chronology of events leading to the litigation in the case of Karam v. City of Burbank, and requesting settlement of her case; Eden Rosen, commenting on budget cuts to the Police, Fire and Library departments, and expressing disagreement on funds expended by the Council for specific programs and litigation; Stan Hyman, regarding budget cuts, urging the Council does not fund expenditures to the Boys & Girls Club of Burbank; Leigh Davis, commending the Council for their demeanor in the face of verbal assaults during oral communications, commenting on the case of Karam v. City of Burbank; Mark Barton, remarking on traffic sign regulations; David Piroli, commenting that across-the-board cuts were not equitable to all departments, noting the City Clerk's Office receives demands for research from all City departments as well as the public, and cutting

the Clerk's budget would reduce services, congratulating Mayor Murphy, commenting on the FAA's approval of a cap on flights at Long Beach Airport; Howard Rothenbach, congratulating Council Members Campbell, Vander Borcht and Mayor Murphy, commending the City on the opening of the new Compressed Natural Gas station, commenting on the recent expenditure of \$12,000 for new chairs in the Council Chamber, on the letter from President Chris Holden to the FAA indicating there was movement towards constructing a new terminal at Burbank Airport, and on FAA Administrator Blakey's request that the Airport Authority provide the FAA with a repayment plan within 30 days.

C.L. Stack, congratulating Council Members Campbell, Vander Borcht, and Mayor Murphy; Mike Nolan, inquiring whether there were any efforts towards an agreement with the Airport Authority, quoting from the letter from FAA Administrator Blakey to Airport Authority President Holden requesting a repayment plan within 30 days of funds disbursed to the Authority for new terminal construction, commenting on the placement of a new National Guard Armory at the Airport, and stating an appeal will be filed on the Measure A litigation within the next two weeks; and Rose Prouser, commenting on the chronology of events she witnessed which led to the charges filed against Dr. Karam, congratulating Council Member Campbell, suggesting Burbank hire Long Beach's lawyer to obtain a cap on flights at Burbank Airport, urging the Council not to cut the services which make Burbank a unique community, and commending City employees for their excellent service to the residents.

Staff  
Response

Members of the Council and staff responded to questions raised.

409  
League of CA  
Cities Delegate

Ms. Wolfe, Administrative Analyst, City Manager's office, requested Council consideration of the selection of a delegate to attend a special League of California Cities' (League) membership meeting in Sacramento on May 15, 2003, to vote in support of a proposed resolution from the League to the California State Legislature that outlines the League's position on balancing the State Budget and reforming the fiscal system. She stated the League's Board of Directors would be meeting on May 15, 2003 to continue revisions to the draft resolution and the final version would be presented to the general voting League membership at the special membership meeting, and noted as a member of the League, the City Council may cast one vote on-behalf of the interest of the City of Burbank. She recounted at the recent May 1, 2003 Council reorganization

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meeting, the Council voted to select Mayor Murphy as the City's representative to the League and Council Member Vander Borcht as the alternate. She informed the Council, for the purpose of attendance at the special meeting, they could select the current delegate or alternate, or decide to select on a one-time basis another Council Member to attend the meeting with authority to vote on any issues presented.

Motion It was moved by Mr. Golonski, seconded by Mr. Vander Borcht and carried with Mrs. Ramos absent that "Mayor Murphy serve as the delegate to the special League of California Cities meeting of May 15, 2003."

801-2  
Budget Study  
Session Mr. Hanway, Financial Services Director, informed the Council and the public that the proposed budget was now available at the City's website and stated this was the first of the two Budget Study Sessions. He commended all the departments and budget staff for their collaborative efforts and noted the amount of time and effort in putting the budget presentations together.

Regarding the General Fund, Mr. Hanway stated the Proposed Budget had anticipated recurring revenues of \$113,782,360 including the proposed fee increases, and assumed no reductions from the State's budget process. He noted available recurring revenues were \$109,578,360, excluding the \$4.2 million in the Burbank Water and Power (BWP) Set-Aside Fund.

He stated the recurring appropriations were projected at \$108,944,281, excluding potential Memoranda of Understanding agreements costs projected at \$3,270,122 and added although frozen positions would provide a budget savings of \$1,867,300, total recurring appropriations of \$110,347,103 would create a \$768,743 deficit which staff proposed to balance using the BWP Set-Aside Fund.

He then explained the sources of funds and stated total funds including all revenues, bond proceeds, depreciation on Enterprise Funds and capital earnings were approximately \$427,966,940 of which \$113,782,360 was the General Fund. He emphasized that Sales Tax, Property Tax and Utility User's Tax were the three largest sources of the General Fund and stated staff was opposed to the State's proposal of taking half of the Sales Tax revenues and replacing them with Property Tax revenues, noting the fluctuation of different tax revenues with different economic climates. He also noted half of the General Fund expenditures went to the Police and Fire

## Departments.

Mr. Hanway commented on the major driving expenditures for the fiscal year which included: increasing Public Employee Retirement System (PERS) rates; projected MOU increases; and increases in Internal Service Funds, especially the Liability and Worker's Compensation Funds. Regarding revenues, he reported between January and March 2003, Transient Parking Tax (TPT) revenues decreased by 14.5 percent, noted the projected revenue loss of \$408,000 and recommended the proposed two percent TPT increase that would generate an additional \$318,000 in revenues, resulting in a net loss of only \$90,000.

City Treasurer Ms. Anderson, City Treasurer, presented the proposed budget reductions for the City Treasure's office.

City Clerk Mrs. Campos, City Clerk, presented the proposed budget reductions for the City Clerk's office.

9:01 P.M. Recess The Council recessed at this time. The meeting reconvened at 9:18 p.m. with the same members present.

Information Technology Ms. Wyatt, Information Technology Director, presented the proposed budget reductions for the Information Technology Department.

Library Services Department Mrs. Cohen, Library Services Director, presented the proposed budget reductions for the Library Services Department.

Mr. Golonski inquired as to the services provided under the Private Contractual Services account, and Mrs. Cohen explained the account was used for the maintenance of the database cataloging system and internet monitoring and filtration system. Mr. Golonski requested the Information Technology Director review the services provided and consider renegotiating the prices.

Mr. Golonski also requested clarification on the Public Library Fund (PLF) holding account and Mrs. Cohen explained the PLF was a discretionary fund received from the State and was used to augment the book budget, registration systems for internet computers and different library programs. He requested reconsidering the proposal to eliminate Saturday and Tuesday



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night hours at the Northwest Branch Library.

Police  
Department

Chief Hoefel, Police Chief, presented the proposed budget reductions for the Police Department.

Mr. Golonski suggested renegotiating the Computer Contract Agreements and noted the dramatic cost increase.

Mr. Vander Borgh requested clarification on the Special Operations Division's general equipment maintenance and repair increase of \$121,000 and Chief Hoefel explained the increase was a result of last fiscal year's work program goals to re-organize and balance workloads, which resulted in shifting the Computer Operations Unit from the Administrative Division to the Special Operations Division.

Mr. Golonski requested reconsideration of the pet adoption fees.

Community  
Development  
Department

Mrs. Georgino, Community Development Director, presented the proposed budget reductions for the Community Development Department.

Mr. Golonski requested clarification on the \$350,000 in the Planning Division budgeted for Other Professional Services and Mrs. Georgino responded that item pertained to Environmental Impact Report fees which were reimbursed by the developers. He also inquired whether consideration was given to the possibility of the Redevelopment Agency paying back the loan owed to the City and Mrs. Georgino responded that proposal would be presented for Council consideration.

Mr. Vander Borgh requested reconsideration of the proposed lay-off positions that were currently occupied as well as the cost for meals for the Planning Board.

Financial  
Services  
Department

Mr. Hanway, Financial Services Director, presented the proposed budget reductions for the Financial Services Department.

Park,  
Recreation and  
Community  
Services  
Department

Mr. Flad, Park, Recreation and Community Services Director, presented the proposed budget reductions for the Park, Recreation and Community Services Department.

Mr. Campbell requested clarification on the dramatic cost increase in Vehicle Equipment Rentals for the Park Services Division, and Mr. Flad responded new vehicles had been

purchased, most notably for the GotWheels Program.

Regarding the use of the senior citizens' facilities, Mr. Vander Borcht inquired whether staff considered adopting a fee scale for the purchase of the activity card that would require non-residents to pay a higher amount than the residents, and Mr. Flad stated staff already had a proposal to charge \$5 for residents and \$10 for non-residents for the activity card.

Third Period of  
Oral  
Communication

Mayor Murphy called for speakers for the third period of oral communications at this time.

Citizen  
Comment

Appearing to comment were LaVerne Thomas, inquiring as to the Community Development Department's (CDD) personnel reductions, the elimination of the Rangemaster position in the Police Department, stating film fees and building fees were too low, and suggesting employees who earn over \$100,000 annually give-up one percent to avoid job reductions at lower positions; Eden Rosen, agreeing the Art in Public Places Program should be eliminated, stating CDD should eliminate the printing of the Chamber's Business Directory, and expressing concern about traffic congestion on Olive Avenue and Victoty Boulevard; Rose Prouser, commenting on a recent survey conducted on her block regarding the installation of speed bumps on Cordova Street between Verdugo Avenue and Oak Street, commenting on the City of Glendale's involvement in a price-fixing scheme with regard to the energy crisis; and Mike Nolan, inquiring as to the reason why Assemblyman Frommer introduced a bill regarding the National Guard Armory while the Council has not been involved in any such discussions, requesting the City Attorney be directed to include street addresses on Closed Session items.

Staff  
Response

Members of the Council and staff responded to questions raised.

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301-2  
Memorial  
Adjournment

There being no further business to come before the Council,  
the meeting was adjourned at 12:00 a.m. in memory of Joe  
Tersigni.

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Margarita Campos, City Clerk

APPROVED JUNE 24, 2003

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Mayor of the Council  
of the City of Burbank