



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, AUGUST 26, 2003  
5:00 P.M.

**CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE**

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48 hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

CLOSED SESSION ORAL COMMUNICATIONS IN COUNCIL CHAMBER:

Comments by the public on Closed Session items only. These comments will be limited to **three** minutes.

For this segment, a **PINK** card must be completed and presented to the City Clerk.

CLOSED SESSION IN CITY HALL BASEMENT LUNCH ROOM/CONFERENCE ROOM:

- a. Conference with Legal Counsel – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)
  - 1. **Name of Case:** City of Burbank v. Burbank-Glendale-Pasadena Airport Authority.  
**Case No.:** BC259852  
**Brief description and nature of case:** Declaratory Relief.
  - 2. **Name of Case:** City of Burbank v. State Water Resources Control Board.  
**Case No.:** B150912  
**Brief description and nature of case:** Challenge to proposed stormwater regulations.
  - 3. **Name of Case:** Sara Kirst, et al. v. City of Burbank.  
**Case No.:** BC203061  
**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/Judie Sarquiz.  
**Name of Organization Representing Employee:** Represented: Burbank City Employees Association, Burbank Management Association, International Brotherhood of Electrical Workers, Unrepresented, and Appointed Officials.  
**Summary of Labor Issues to be Negotiated:** Employee Retirement Medical Trust Fund.
  
- e. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957 and 54957.6  
**Title of Employee's Position:** City Attorney.
  
- f. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957 and 54957.6  
**Title of Employee's Position:** City Manager

When the Council reconvenes in open session, the Council may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions concerning these matters.

**6:30 P.M.**

INVOCATION: Chaplain Sally Kinarthy, Providence Saint Joseph Medical Center.  
The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

ANNOUNCEMENT: WEDNESDAY NIGHT PRIME TIME PROGRAMS.

ANNOUNCEMENT: PATRIOT DAY.

ANNOUNCEMENT: CITY COUNCIL MEETINGS DARK ON SEPTEMBER 2 AND SEPTEMBER 9, 2003.

ANNOUNCEMENT: APPLICATIONS FOR VACANCIES ON THE CHARTER REVIEW COMMITTEE AND TRAFFIC AND TRANSPORTATION COMMITTEE.

ANNOUNCEMENT: HOUSEHOLD HAZARDOUS WASTE ROUNDUP – SEPTEMBER 13, 2003.

PROCLAMATION:            ASSISTIVE TECHNOLOGY DAY.  
COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

REPORTING ON CLOSED SESSION:

INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning City Business.)

There are four segments of Oral Communications during the Council Meeting. The first precedes the Closed Session items, the second and third segments precede the main part of the City Council's business (but follow announcements and public hearings), and the fourth is at the end of the meeting following all other City business.

**Closed Session Oral Communications.** During this period of oral communications, the public may comment only on items listed on the Closed Session Agenda(s). A **PINK** card must be completed and presented to the City Clerk. Comments will be limited to **three** minutes.

**Initial Open Public Comment Period of Oral Communications.** During this period of Oral Communications, the public may comment on any matter concerning City Business. A **BLUE** card must be completed and presented to the City Clerk. NOTE: Any person speaking during this segment may not speak during the third period of Oral Communications. Comments will be limited to **two** minutes.

**Agenda Item Oral Communications.** This segment of Oral Communications immediately follows the first period, but is limited to comments on agenda items for this meeting. For this segment, a **YELLOW** card must be completed and presented to the City Clerk. Comments will be limited to **four** minutes.

**Final Open Public Comment Period of Oral Communications.** This segment of oral communications follows the conclusion of agenda items at the end of the meeting. The public may comment at this time on any matter concerning City Business. NOTE: Any member of the public speaking at the Initial Open Public Comment Period of Oral Communications may not speak during this segment. For this segment, a **GREEN** card must be completed and presented to the City Clerk. Comments will be limited to **two** minutes.

**City Business.** City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under

City Council jurisdiction, they are not City business and may not be discussed during Oral Communications.

**Videotapes/Audiotapes.** Videotapes or audiotapes may be presented by any member of the public at any period of Oral Communications or at any public hearing. Such tapes may not exceed the time limit of the applicable Oral Communications period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the period of oral communication the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Oral Communications, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

**Disruptive Conduct.** The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

**AGENDA ITEM ORAL COMMUNICATIONS:** (Four minutes on Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

CONSENT CALENDAR: (Item 1)

The following item may be enacted by one motion. There will be no separate discussion on this item unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A roll call vote is required for the consent calendar.

1. MINUTES:

Approval of minutes for the regular meeting of August 12, 2003.

Recommendation:

Approve as submitted.

END OF CONSENT CALENDAR            \*\*\*            \*\*\*            \*\*\*

REPORTS TO COUNCIL:

2. REQUEST BY BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY TO AMEND "GRANT OF EASEMENTS, DECLARATION OF USE RESTRICTIONS AND AGREEMENT FOR TRUST PROPERTY" TO EXTEND THE TEMPORARY USE OF APPROXIMATELY 20 ACRES OF THE M-2 ZONED PORTION OF THE TRUST PROPERTY FOR USE BY DESMOND'S STUDIO PRODUCTION SERVICES:

The Burbank-Glendale-Pasadena Airport Authority (Authority) is requesting that the City amend the Grant of Easements, Declaration of Use Restrictions and Agreement for Trust Property (the Trust Property Easements) to extend Desmond's Studio Production Services (Desmond) rights to utilize approximately 20 acres of the Trust Property portion of the former Lockheed B-6 site as a temporary location for its movie production vehicle and equipment storage facility while its permanent facility is being constructed on the Adjacent Property portion of the B-6 site from September 1, 2003 to December 1, 2003.

The Council previously approved the relocation of Desmond to the Adjacent Property site, including authorization of an amendment to the Grant of Easements, Declaration of Use Restrictions and Agreement for Adjacent Property (Adjacent Property Easements). The Council also previously approved an amendment to the Trust Property Easements to allow Desmond to use a defined portion of the Trust Property on a temporary basis up to September 1, 2003. The Authority has requested the Council extend the time that Desmond can remain at the temporary location through December 1, 2003.

Desmond currently leases from the Authority approximately 10 acres of a portion of the

B-6 property located in the City of Los Angeles, immediately north of the proposed project site (Building 360 site). Desmond intends to consolidate that operation with vehicles currently stored at other sites in the Los Angeles area onto a single facility on the Adjacent Property portion of the B-6 property located in the City of Burbank (Adjacent Property Site). 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 for its movie production vehicle and equipment storage facility. 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 Planning Board approved a Conditional Use Permit for the relocation of Desmond to the Adjacent Property Site.

In late January 2003, the Authority and Desmond completed negotiations regarding the lease for the Adjacent Property Site. The Authority and Desmond have begun the work necessary to make the Adjacent Property Site ready for use by Desmond. That work, including permitting, was expected to take approximately seven months. Initially Desmond's final site on the Adjacent Property Site was expected to be ready by approximately August, 2003, however the Authority has requested more time to complete the Adjacent Property Site.

The Authority has asked the City to amend the Trust Property Easements in order to extend the temporary use of approximately 20 acres of the M-2 zoned portion of the Trust Property for the interim relocation of Desmond through December 1, 2003. The temporary facility will allow Desmond to keep the approximately 500 trailers and pieces of equipment stored on the Trust Property until the Adjacent Property Site is completed.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AMENDMENT OF THE "GRANT OF EASEMENTS, DECLARATION OF USE RESTRICTIONS AND AGREEMENT FOR TRUST PROPERTY" TO EXTEND THE TEMPORARY USE OF APPROXIMATELY 20 ACRES OF THE M-2 ZONED PORTION OF THE TRUST PROPERTY FOR USE BY DESMOND'S STUDIO PRODUCTION SERVICES TO DECEMBER 1, 2003 (BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY, APPLICANT).

3. COUNCIL REQUEST TO DISCUSS THE POTENTIAL RENAMING OF THE UNITED STATES POST OFFICE (OLIVE AVENUE) IN MEMORY OF MR. BOB HOPE:

Pursuant to Council direction given at the August 12, 2003 Council meeting, staff has conducted additional research on the issue of supporting the renaming process of the United States Post Office (Olive Avenue Branch) in honor of the late legendary

entertainer, Mr. Bob Hope.

On August 12, 2003, the Council requested staff contact representatives of the Bob Hope family to confirm their position on the renaming of the Olive Avenue Branch Post Office in honor of Mr. Hope. Staff affirmed that while the family's primary efforts are to support and pursue the renaming of the Burbank-Pasadena-Glendale Airport in honor of the legendary entertainer, they are not withholding support of Congressman Adam Schiff's legislative efforts in regard to the Post Office. The family is very grateful for the support given by the community and the entire nation to honor Mr. Hope. However, their initial concern was that pursuing both efforts would jeopardize their primary goal.

As the issues have developed, staff has ascertained that the processes for either renaming are mutually exclusive. The process for renaming the Airport will not be affected by the process of renaming the Post Office if the Council should choose to send an additional letter of support to Congressman Adam Schiff. In addition, the family is in support of Congressman Schiff's efforts, albeit that their own personal and primary efforts will be directed at the Airport renaming.

Recommendation:

It is staff's recommendation that the Council initiate discussion on this matter and direct staff as necessary in regard to sending a letter of support to Congressman Adam Schiff for his efforts to enter legislation to rename the Post Office (Olive Avenue Branch) in honor of Mr. Bob Hope.

**FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:** (Two minutes on any matter concerning the business of the City.)

This is the time for the Final Open Public Comment Period of Oral Communications. Each speaker will be allowed a maximum of **TWO** minutes and may speak on any matter concerning the business of the City. However, any speaker that spoke during the Initial Open Public Comment Period of Oral Communications may not speak during the Final Open Public Comment Period of Oral Communications.

For this segment, a **GREEN** card must be completed, indicating the matter to be discussed, and presented to the City Clerk.

**COUNCIL AND STAFF RESPONSE TO THE FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:**

**ADJOURNMENT.**

**For a copy of the agenda and related staff reports,  
please visit the**

**City of Burbank's Web Site:  
[www.ci.burbank.ca.us](http://www.ci.burbank.ca.us)**