



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, OCTOBER 28, 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.
- 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/Judie Sarquiz.
Name of Organization Representing Employee: Represented: Burbank Firefighters Association.
Summary of Labor Issues to be Negotiated: Current Contracts and Retirement Issues.

- 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: Pastor Ron White, American Lutheran Church.
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.

PRESENTATION: SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL TRANSPORTATION PLAN BY GLENDALE MAYOR BOB YOUSEFIAN.

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:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY:

1. JOBS HOUSING BALANCE INCENTIVE GRANT PROGRAM FOR COTTAGES
CHILDCARE CENTER:

Staff is requesting Council and Redevelopment Agency (Agency) approval of a contract between the City and State to receive and appropriate grant funds. Proposition 46, the Housing and Emergency Shelter Trust Fund Act (Trust Fund) was approved by voters statewide in 2002. Part of the Trust Fund is a \$25 million Jobs Housing Balance Incentive Grant Program offered to local governments, who have

submitted an approved Housing Element and demonstrated an increase in the number of building permits issued for housing during the 2001 calendar year. These funds can be used for capital improvements that serve the community including childcare and community centers.

The City has applied for grant funds based on the State formula, which allows for an award of up to \$451,100. The City's original application requested funds to construct the proposed Peyton-Grismer Activity Center. In June 2003, the State accepted the City's application, however, because the State received applications in excess of the amount of funding available, Burbank's award was reduced to \$397,757. Subsequently, due to funding constraints imposed by the grant, the City has modified its application to redirect the funds toward the Cottages Housing and Childcare Center project, which includes a 92-space childcare center and 20 small-lot single family homes. The Cottages Childcare Center is currently under construction and is anticipated to be completed in January 2004.

Staff recommends that the Agency appropriate \$397,757 from the 20% Set-Aside affordable housing account for the Peyton-Grismer project to backfill the transfer of the grant funds. The 20% Set-Aside account recently received \$412,000 in unanticipated revenue from the Agency's profit participation in the housing portion of the Cottages Housing and Childcare Center Project. Effectively, the Agency will be saving \$397,757 in Golden State Redevelopment Project Area funds that were initially funding the Cottages Childcare Center.

Recommendation:

1. Adoption of proposed City Council resolution entitled:
(4/5 vote required)
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING THE JOB HOUSING BALANCE GRANT, AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING JOB HOUSING BALANCE GRANT FUNDS IN THE AMOUNT OF \$397,797.00 FOR THE COTTAGES CHILDCARE CENTER, AND APPROVING A COOPERATION AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK.
2. Adoption of proposed Redevelopment Agency resolution entitled:
A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING JOB HOUSING BALANCE GRANT FUNDS IN THE AMOUNT OF \$397,797.00 FOR THE COTTAGES CHILDCARE CENTER PROJECT AND APPROVING A COOPERATION AGREEMENT WITH THE CITY OF BURBANK.

2. PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT BOARD SELECTION:

Staff requests that the Council make appointments from qualified applicants to the Property-Based Business Improvement District (P-BID) Board. As part of the Redevelopment Agency (Agency) efforts to improve the Downtown, the Agency initiated the formation of a P-BID to fund a variety of improvements in partnership with Downtown Burbank property owners. The Management District Plan (Plan) was developed and approved in July 2003 which outlines the major components of the P-BID including: the boundaries; the service plan and budget; the assessment formula; and, the governance of the organization. Specific improvements that are proposed include: smart parking; wayfinding signage; street/paseo upgrades; and, holiday decorations. Also included in the Plan is increased maintenance and security, promotions, advertising, special events, and administrative procedures.

In June 2003, the Council approved the initiation of proceedings and ballots were sent out to all property owners within the proposed district to vote on whether to approve the formation of the P-BID. On July 22, 2003, the Council accepted the ballots and approved the P-BID with 82 percent of the ballots from property owners in favor of the P-BID.

When the P-BID was approved, the Council also approved the proposed make-up of the P-BID Board. The Plan states that the Board of Directors of the organization will be comprised of an eleven-member board representing large and small property owners, the Village District, the City and Redevelopment Agency, the Media City Center, IKEA, small business owners, residents and nonprofit organizations in the Downtown area. Staff began advertising for applications for the P-BID Board on October 7, 2003. Letters were sent to all stakeholders and all property owners offering them an opportunity to apply for the P-BID Board, a press release was sent to all local papers including The Leader and Daily News, and announcements were made at two Council meetings. The deadline for submitting applications to the City Clerk's office was October 16, 2003, at 5:00 pm.

Following is the list of the applicants by category as set forth in the Plan. Some applicants who qualify for more than one category may be listed more than once (i.e. the applicant may be a property owner and a business owner).

2 Board members representing Property owners from the Village area (San Fernando Boulevard from Magnolia Boulevard to Verdugo Avenue)

- Anthony Delcau (Tucker Investment Group)
- Morris Goodstein (Tony Roma's, retired)
- Tate Holland (Make-Up Designory)

2 Board members representing the City and Redevelopment Agency
(City and Agency staff and/or officials only)

- Mary Alvord (City Manager) or designee
- Sue Georgino (Community Development Director) or designee

2 Board members representing the Mall area and IKEA
(Must be Mall representative and an IKEA representative)

- Yumiko Carr (IKEA)
Note: Ken Bodeen, new Store Manager starts 11/3/03
- James O'Neil (Media City Center)

1 Board member representing at Large, Large Property Owners

- Michael Cusumano (Cusumano Real Estate Group)

1 Board member representing At Large, Small Property Owners

- Raymond Adams (Buyers Home Warranty Company)
- Anthony Delcau (Tucker Investment Group)
- Morris Goodstein (Tony Roma's, retired)
- Tate Holland (Make-Up Designory)
- John Pfaffl, Sr. (Jonan Property Services, Inc.)

1 Board member representing At Large, Small Business

- Paul Ehre (Skyblupink)
- Michael Wilford (King, King and Alleman)

1 Board member, Non-voting representing Residents of Burbank

- Morris Goldstein (Tony Roma's, retired)
- John Pfaffl, Sr. (Jonan Property Services, Inc.)
- Michael Wilford (King, King and Alleman)

1 Board member, Non-voting, representing a non-profit entity

- Lisa Rawlins (Burbank YMCA Board President)

Once selected, staff will promptly schedule a meeting to set up By-laws, brief the Board on various programs and activities, and enter into a contract with the City to administer funds levied by the City on the District. Staff anticipates returning with the contract in December 2003.

Recommendation:

Staff recommends that the Council appoint members to the Property-Based Business Improvement District Board from the qualified applicants.

RECESS for the Redevelopment Agency meeting.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 3 through 9)

The following items may be enacted by one motion. There will be no separate discussion on these items 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.

3. MINUTES:

Approval of minutes for the regular meeting of October 14, 2003.

Recommendation:

Approve as submitted.

4. AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF STATE DOMESTIC PREPAREDNESS EQUIPMENT GRANT FUNDS:

Staff is requesting Council approval of a proposed resolution that authorizes the City Manager to accept \$21,184.63 in State Domestic Preparedness Equipment Grant funds for the Fire Department, and amends the Fiscal Year 2003-04 budget by appropriating the grant funds. The purpose of the 2001 State Domestic Preparedness Equipment Grant is to provide financial assistance to jurisdictions to purchase equipment, support planning efforts, conduct training, and develop exercises to enhance local fire, emergency medical services, hazardous materials response, urban search and rescue, law enforcement, and public health terrorism first responder capabilities.

Grant funding will aid in enhancing the ability of the Fire Department's first responder role to perform critical life safety missions in contaminated environments caused by weapons of mass destruction and attacks using chemical, biological, radiological, nuclear, or explosive devices. Staff will maximize the grant funds to ensure that the Fire Department is better prepared to respond to a terrorism event.

The strategy of the grant is to enhance the capability of local agencies to respond to terrorism incidents. The Operational Area's priorities are personal protective equipment, chemical/biological/radiological detection, and decontamination. Accepting the grant funds amends the City's budget by increasing the General Fund's revenue estimate by \$21,184.63.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE APPLICATION FOR A DOMESTIC PREPAREDNESS EQUIPMENT GRANT FROM THE STATE OF CALIFORNIA'S OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF FIRST RESPONDER EQUIPMENT FOR THE FIRE DEPARTMENT AND AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$21,184.63.

5. REVISING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF CLERICAL WORKER AND UTILITY WORKER:

The purpose of the proposed resolutions is to revise the specifications for the classifications of Clerical Worker (CTC No. 0196) and Utility Worker (CTC No. 0975). Since the titles were originally established, the Clerical Worker has become a rarely used classification whereas the Utility Worker has been used as a "catch-all" for both clerical and field operations. During recent negotiations with the Burbank City Employees Association (BCEA), the differences in the market between field and office personnel became an impediment. To survey positions accurately, it became apparent to both the BCEA and the City that field and office positions had to be separated. The revisions of the specifications for these classifications clearly delineate office and field activities. These revisions were reviewed by the Civil Service Board on October 7, 2003. There is no additional fiscal impact from the revision or re-titling of the specifications for these classifications.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF CLERICAL WORKER (CTC No. 0196).
2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF UTILITY WORKER (CTC No. 0975).

6. REVISING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF POLICE SERGEANT, POLICE LIEUTENANT, AND POLICE CAPTAIN:

The purpose of the proposed resolutions is to revise the specifications for the classifications of Police Sergeant (CTC No. 0654), Police Lieutenant (CTC No. 0648), and Police Captain (CTC No. 0641). With recent and impending retirements, it has become necessary for the Police Department to recruit for several supervisory and managerial positions. These revisions to the specifications will clarify the duties and responsibilities of these positions, and change the minimum qualifications to reflect the recruitment needs of the department. While retaining the same overall experience requirements, these revisions will allow credit for law enforcement experience obtained outside of the Burbank Police Department. This will widen the potential field of candidates for these positions. These revisions were approved by the Civil Service Board on October 7, 2003. There is no fiscal impact from the revision of the specifications for the classifications of Police Sergeant, Police Lieutenant or Police Captain. However, when a Police Captain serves as the Deputy Police Chief, he/she will receive a salary differential of \$400 per month or \$4,800 per year. This differential will be paid through salary savings.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE SERGEANT (CTC No. 0654).
2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE LIEUTENANT (CTC No. 0648).
3. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE CAPTAIN (CTC No. 0641).

7. REVISING AND RE-TITLING THE SPECIFICATION FOR THE CLASSIFICATION OF ACCOUNTING OPERATIONS SUPERVISOR TO FISCAL OPERATIONS SUPERVISOR:

The purpose of the proposed resolution is to revise and re-title the specification for the classification of Accounting Operations Supervisor (CTC No. 0008) to Fiscal Operations Supervisor (CTC No. 0363). The Financial Services Department has undergone a reorganization which has required the shifting of some responsibilities and duties. One of the primary changes has required additional responsibilities being placed on the Accounting Operations Supervisor which includes supervising Accounts Receivable and Collections. These revisions also clarify the knowledge and experience required for this position. The new title more accurately describes the duties of the position. These revisions were reviewed by the Civil Service Board on October 7, 2003.

Based on the City's 12-city survey, it is proposed that the salary range for Fiscal Operations Supervisor be increased by .48 percent (\$30 per month or \$360 annually). The current salary range is \$5,171-\$6,283 per month. The proposed salary range is \$4,956-\$6,313 per month. This increase will be offset by salary savings.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF ACCOUNTING OPERATIONS SUPERVISOR (CTC No. 0008) TO FISCAL OPERATIONS SUPERVISOR (CTC No. 0363).

8. REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF MANAGEMENT SERVICES DIRECTOR AND REVISING AND RE-TITLING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF EMPLOYEE RELATIONS ADMINISTRATOR TO ASSISTANT MANAGEMENT SERVICES DIRECTOR/LABOR RELATIONS AND HUMAN RESOURCES AND RISK MANAGER TO ASSISTANT MANAGEMENT SERVICES DIRECTOR/RISK MANAGEMENT AND SAFETY:

The purpose of these proposed resolutions is to revise the specification for the classification of Management Services Director (CTC No. 0529) and to revise and re-title the specifications for the classifications of Employee Relations Administrator (CTC No. 0319) to Assistant Management Services Director/Labor Relations and Human Resources (CTC No. 0072), and Risk Manager (CTC No. 0729) to Assistant Management Services Director/Risk Management and Safety (CTC No. 0073). With the recent resignation of the Management Services Director and down-sizing due to budget cuts, the Management Services Department has undergone an extensive reorganization. The department has been consolidated from four divisions to two divisions. As part of this reorganization, duties and responsibilities have been shifted and/or reassigned. To accurately reflect these shifting responsibilities, it is necessary to revise the specifications for the classifications of Employee Relations Administrator and Risk Manager. During the process, it was discovered that the specifications for the classification of Management Services Director had not been revised in 17 years. As such, the specification included duties and responsibilities when the department included Human Resources, Finance, and Information Technology. Since that time, the department has been divided into three separate departments and the duties and responsibilities of this position have changed drastically.

There is no additional fiscal impact from the revision of the specification for the classification of Management Services Director. The salaries for the classifications of Assistant Management Services Director/Labor Relations and Human Resources and Assistant Management Services Director/Risk Management and Safety have been set at 70 percent of the salary of the Management Services Director or \$5,828-\$7,080. This equates to a \$16 per month increase for the Assistant Management Services Director/Risk Management and Safety from the current salary of Risk Manager, and a \$1,438 per month decrease for the Assistant Management Services Director/Labor

Relations and Human Resources from the current salary of Employee Relations Administrator. Due to the recent reorganization of the Management Services Department, there is adequate salary savings and there will be no fiscal impact from these revisions.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF MANAGEMENT SERVICES DIRECTOR (CTC No. 0529).
 2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF EMPLOYEE RELATIONS ADMINISTRATOR (CTC No. 0319) TO ASSISTANT MANAGEMENT SERVICES DIRECTOR/LABOR RELATIONS AND HUMAN RESOURCES (CTC No. 0072).
 3. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF RISK MANAGER (CTC No. 0729) TO ASSISTANT MANAGEMENT SERVICES DIRECTOR/RISK MANAGEMENT AND SAFETY (CTC No. 0073).
9. REVISING AND RE-TITLING THE SPECIFICATION FOR THE CLASSIFICATION OF POWER SYSTEMS SUPERINTENDENT TO DISTRIBUTION SYSTEM OPERATIONS MANAGER:

The purpose of the proposed resolution is to revise and re-title the specification for the classification of Power Systems Superintendent (CTC No. 0662) to Distribution System Operations Manager (CTC No. 0270). Burbank Water and Power has reorganized the Supervisory Control and Data Acquisition (SCADA) Center so that dispatching and real-time trading/scheduling falls under two distinct work groups, each with its own chain of command. Due to this reorganization, duties and responsibilities have been shifted and/or reassigned. To accurately reflect the shifted responsibilities and duties that have been placed on the Power Systems Superintendent, the specification for this classification has been revised and re-titled to Distribution System Operations Manager. This position will no longer manage power scheduling and/or accounting. It will instead manage an advanced SCADA system that will enable the dispatchers to conduct more sophisticated outage restorations and other operations. This position will also have a greater responsibility for dispatcher training and will oversee an apprentice-like program. This position also has an assigned cost center and explicit budget and cost control responsibilities. These revisions to the specification for the classification of Distribution System Operations Manager were approved by the Civil Service Board on October 7, 2003. There is no additional fiscal impact from the revision or re-titling of the specification for this classification.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF POWER SYSTEMS SUPERINTENDENT (CTC No. 662) TO DISTRIBUTION SYSTEM OPERATIONS MANAGER (CTC No. 0270).

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

REPORTS TO COUNCIL:

10. APPROVAL OF BURBANK WATER AND POWER LANDFILL ELECTRIC GENERATION EXPANSION PROJECT:

Staff is requesting Council approval of a Public Benefits Research and Development Project that will be partly funded by a California Energy Commission (CEC) Grant. The project consists of a 250 kW expansion and improvements to the existing 300 kW Burbank Landfill Gas Electric Generation Project. This expansion will cost \$1,100,000. The CEC will fund \$450,000, for a net cost to Burbank Water and Power (BWP) of \$650,000. Additionally, staff is requesting authorization for the BWP General Manager to execute a Design and Construction Services Agreement between the City and Sterns, Conrad and Schmidt Consulting Engineers, Inc., dba SCS Energy.

In 1999, it was proposed to develop a Public Benefits Research and Development Project utilizing landfill gas at the Burbank Landfill. This approach was a new, unique application of technology called micro-turbines. A grant application for the development of this technology was made to the CEC in 2000 and \$250,000 was approved for the \$950,000 project. Construction of the project began in December 2000, was completed by 2001, on time and within budget, and was the first project of its kind.

Unfortunately, the ten compressors developed a problem that led to their failure. It is not unexpected that such a Research and Development Project might experience problems such as this. BWP investigated the cause for the existing system's failure by examining landfill gas generation projects that have been built since the Burbank Landfill Gas Project and found the following design problems:

- The compressors were not well suited for landfill gas;
- The moisture removal system, which relied on a desiccant-type dryer, was inadequate to handle the large amount of water in landfill gas; and,
- The activated carbon filtration of the landfill gas was placed before the compressors, rather than after, which is a more effective location.

Staff has determined that a sliding vane type compressor can be used successfully on landfill gas micro-turbine projects. This is demonstrated by the Los Angeles County

Sanitation District's micro-turbine project at its Calabasas Landfill, which has operated very well for over a year. These refinements in technology were developed after the Burbank Landfill Project. Rather than restoring the units, staff considered an upgrade that could use more of the landfill gas and utilize the funds that would otherwise be used to repair the units, to help expand the system. In addition, such an upgrade was expected to qualify for a grant.

Sam Mahsoul, a recently retired BWP employee, proposed an expansion of the landfill generation project, as an alternative to repairing the micro-turbines. Mr. Mahsoul was retained as a consultant to develop this concept. He obtained a grant commitment for \$450,000 from the CEC, a \$200,000 increase over the amount received in 2000 for the initial system.

The project concept will replace the compressor system and expand the generation capability from 300 kW to 550 kW by adding a 250 kW Ingersoll-Rand turbine generator. This concept uses the improved compressor system design, restores the existing micro-turbines, and installs an additional larger micro-turbine. This project is now ready for implementation. Currently, the landfill gas project can serve as many as 300 households. This expansion will serve an additional 250 homes, for a total of 550 households. Since it would cost \$250,000 to repair the existing compressor system, the net cost to BWP for the additional 250 kW is \$400,000.

The initial 300 kW system cost was \$950,000, which, with a \$250,000 grant had a net cost of \$700,000. This initial system was installed at a cost of \$2,333 per kW (after grant). The 250 kW expansion can be built at a cost of \$1,600 per kW (after grant). The expansion can be made at a cost of 70 percent of the initial cost. The project is expected to be completed this fiscal year (FY) and will be added to the current Public Benefits Program without impact on existing programs. This will represent a credit that will be applied to future Public Benefit Program spending obligations.

The funding will be made possible by the cancellation of the Olive 2 overhaul. Because of the workload associated with the Olive NOx Retrofit and the Magnolia Power Project (MPP) construction, it is not practical to undertake the overhaul until the MPP is completed. This project, therefore, can be done within the current budget's expenditures. However, the project shall be specifically added as a Public Benefits Program.

Lastly, the Project, when completed, will result in a negligible expansion of the use of the landfill generation station. For that reason, the Council may find that the Project is categorically exempt from compliance with the California Environmental Quality Act (CEQA) under Section 15301(b) of the State CEQA Guidelines (minor alteration of existing utility facilities).

It is recommended that the Council approve the 250 kW expansion and improvement of the existing 300 kW landfill gas electric generation project for \$1,100,000, and authorize the General Manager of BWP to execute a Design and Construction Services Agreement with SCS Energy. The funds for this project will come from the

following sources:

\$450,000	California Energy Commission grant
\$400,000	BWP's FY 2003-04 Power Supply budget
\$250,000	BWP's FY 2003-04 Public Benefits budget

The \$650,000 cost to BWP for this expansion and improvement project will be charged against the utility's Public Benefits spending obligation. While \$250,000 will be charged against the obligation this fiscal year, the remaining \$400,000 contributed from the Power Supply budget will be charged against the utility's future Public Benefits spending obligation. BWP utilized FY 2003-04 Power Supply funds so that the landfill energy project could move forward without negatively impacting BWP's existing Public Benefits programs.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE LANDFILL ELECTRIC GENERATION EXPANSION PROJECT; APPROVING AND AUTHORIZING EXECUTION OF A DESIGN AND CONSTRUCTION SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND STERNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS, INC., DBA SCS ENERGY, FOR SAID PROJECT; AND MAKING ADJUSTMENTS TO THE 2003-2004 FISCAL YEAR BUDGET.

11. BURBANK WATER AND POWER'S RESIDENTIAL REBATE RECOMMENDATIONS FOR SOLAR ATTIC AND CEILING FANS:

On September 16, 2003, staff updated the Council on the Burbank Water and Power (BWP) existing Public Benefits programs and requested approval for several new programs. The Council approved the programs with the exception of the solar photovoltaic carport, and suggested that funds earmarked for the solar carport be utilized to provide more substantial rebates for solar attic fan purchases.

Staff research reveals that the price range for solar attic fans is approximately \$300 to \$500. BWP's current rebate is either \$50 or \$100, depending on whether the fan costs under or over \$500, respectively. Staff recommends increasing the rebate amount for any solar attic fan to \$200 to serve as a strong purchase incentive for these renewable energy products.

Additionally, staff is recommending the inclusion of Energy Star-rated ceiling fans into the residential rebate program. Helping Burbank residents reduce their overall air conditioning use is an important goal for the utility, and products such as ceiling fans can assist in achieving this goal. Other neighboring utilities offer ceiling fan rebates, so a precedent has been set. Staff recommends rebates of \$50 for ceiling fans

purchased from Burbank retailers and \$25 rebates for purchases from non-Burbank retailers. Rebates of \$50 represent 25 percent to 50 percent of the purchase price of most ceiling fan models.

Recommendation:

Staff recommends that the Council approve increasing the rebate incentive for solar attic fans to \$200, and adding Energy Star ceiling fans to the list of approved products in BWP's residential rebate program.

12. BURBANK WATER AND POWER MONTHLY OPERATING REPORT:

Staff has prepared the Burbank Water and Power (BWP) Water and Electric Monthly Report regarding water quality and power issues for October 2003.

WATER UPDATE

Water quality during September met or exceeded State and Federal drinking water standards.

Fiscal Year (FY) 2002-03 Year-To-Date preliminary Water Fund Financial Results as of September 30, 2003:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
CCF	2,840,710	2,932,067	(91,357)	(3%)
Potable Revenues	4,625	4,763	(138)	(3%)
Reclaimed Revenues	177	174	3	2%
Purchased Water	2,218	1,955	(263)	(13%)
Gross Margin	2,583	2,982	(398)	(13%)
Direct Operating Expenses	1,691	1,857	166	9%
Allocated Operating Expenses	268	325	56	17%
Operating Income	624	800	(176)	(22%)
Other Income/(Expenses)	23	63	(39)	(62%)
Income before Contr. & Transfers	647	862	(215)	(25%)
Contributed Capital (A.I.C)	166	309	(144)	(46%)
Transfers (In Lieu)	226	238	(12)	5%
Change in Net Assets	587	933	(346)	(37%)

ELECTRIC UPDATE

The following table shows the systemwide reliability statistics for FY 2003-04 through September 2003 compared to Fiscal Year 2002-03.

Reliability Measure	Fiscal Year 2002-03	Fiscal Year 2003-04, Through Sept. 30
Average Outages Per Year	0.16634	0.0802
Average Outage Duration	91.75 minutes	99.23
Average Service Availability	99.9971%	99.9939

Financial and Operations Update

FY 2003-04 year-to-date preliminary Power Financial Results as of September 30, 2003:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
NEL MWh	338,310	329,395	8,915	3%
Weather Normalized NEL MWh	329,973	329,395	578	0%
Sales MWh	313,296	312,928	368	0%
Retail Revenues	39,216	40,384	(1,168)	(3%)
Retail Power Supply Expenses	24,732	26,260	1,528	6%
Retail Gross Margin	14,485	14,124	361	3%
Wholesale Revenues	37,127	4,025	33,102	822%
Wholesale Expenses	35,064	3,125	(31,939)	(1022%)
Wholesale Gross Margin	2,063	900	1,163	129%
Gross Margin	16,548	15,024	1,523	10%
Telecom Revenues	190	200	(10)	(5%)
Operating Expenses	10,031	10,165	134	1%
Operating Income	6,706	5,059	1,647	33%
Other Income & (Expense)	(911)	(539)	(372)	(69%)
Net Inc. before Contributed Capt.	5,795	4,521	1,275	28%
Contributed Capital (A.I.C)	523	601	(78)	(13%)
Change in Net Assets (N.I.)	6,318	5,122	1,196	23%
Net Power Supply Cost - Cents/Kwh	7.24	8.10	0.87	11%

September 2003 Unit Data

Unit	Availability	Operating Hours	MW Net	NOx, lbs.
M-5	100%	3.25	45.2	-
L-1	100%	170.58	6612	1258.8
O-1	100%	739.51	6659.2	553.7
O-2	55%	719.59	8697	1154.6
O-3	0%	0	-68	-
O-4	100%	2.58	39	-

Recommendation:

Note and file.

RECONVENE the Redevelopment Agency meeting for public comment.

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**