

TUESDAY, OCTOBER 28, 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 Ms. Murphy, Mayor.

CLOSED SESSION

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

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

Citizen Comment Appearing to comment was Mike Nolan, requesting more information be put on the agenda regarding labor negotiations.

5:04 P.M. Recess The Council recessed at this time to the City Hall Basement Lunch Room/Conference Room to hold a Closed Session on the following:

- a. Conference with Legal Counsel – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)  
**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.
- 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.

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- 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.

Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:33 p.m. by Ms. Murphy, Mayor.

Invocation      The invocation was given by Pastor Ron White, American Lutheran Church.

Flag Salute      The pledge of allegiance to the flag was led by David Peterson, Supervising Librarian.

**ROLL CALL**

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

301-1  
SCAG Regional  
Transportation  
Plan      Glendale Council Member Bob Yousefian reported on the amendments to the Regional Transportation Plan (RTP) of the Southern California Association of Governments (SCAG). He explained that the RTP is a long-term transportation plan containing a shared vision for a healthier, safer and more livable region. He added that SCAG is required to update its six-county RTP every three years, and that projects cannot be funded unless they are included in the plan. He stated that the last plan was approved in 2001 and the current draft plan was scheduled for approval in April 2004. He added that SCAG was considering a proactive approach, but was faced with several challenges including: congestion; smog pollution; decrease in per capita income; increase in the poverty rate; and, increase in population.

Mr. Yousefian illustrated the projected household growth patterns through 2030, and noted the benefits of the RTP including: a reduction of seven million vehicle miles traveled per day; 340,000 less vehicle hours traveled per day; 180,000 less hours in delays due to congestion; reduction in pollution; in addition to the provision of environmental justice.

He also discussed the region-wide High Occupancy Vehicle lane projections included in the plan; the mixed-flow, toll lanes and corridors; the transit corridor system; proposed corridor improvements; freight rail system improvements; proposed grade separations; and, airport system expansion projections.

To achieve the above benefits, Mr. Yousefian reported that SCAG would require an additional \$6.5 billion for system management preservation, \$1.9 billion for demand management and \$27.7 billion for system expansion. He explained that SCAG was considering several funding strategies including: legislation that would allow for 55 percent versus 67 percent voter approval for local transportation sales taxes; establishment of development mitigation/developer fees; and, maximizing motor vehicle fuel/tax user fee revenue.

Regarding current activities, Mr. Yousefian reported that SCAG staff is working on presenting the plan for widespread public review; developing the RTP Environmental Impact Report (EIR); assuring that the RTP meets air quality conformity requirements and does not delay timely attainment of air quality goals; monitoring performance; and, securing RTP funding. He also added that a joint public hearing will be held in January 2004 prior to the RTP and EIR adoption in April 2004.

Following Mrs. Ramos' request, the Council directed staff to review SCAG's draft RTP and make recommendations to the Council.

Reporting on  
Closed Session

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

Initial Open  
Public Comment  
Period of Oral  
Communications

Ms. Murphy called for speakers for the initial open public comment period of oral communications at this time.

Citizen  
Comment

Appearing to comment were Doris Vick, on behalf of the Sunset Canyon residents, extending appreciation to all the fire and police agencies who participated in putting out the fire on October 21, 2003; Ron Vanderford, commenting on the Platt Project parking requirements and urging the Council to

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eliminate compact parking spaces; Stan Hyman, citing violations of the voluntary curfew at the Burbank-Glendale-Pasadena Airport; David Piroli, commenting on the case of Burbank v. Burbank-Glendale-Pasadena Airport cited on the closed session agenda, and suggesting potential uses of the Burbank emergency radio station; and Howard Rothenbach, announcing the Friends of the Burbank Library booksale.

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

Agenda Item Oral Communications Ms. Murphy called for speakers for the agenda item oral communications at this time.

Citizen Comment Appearing to comment were Stan Hyman, inquiring whether Burbank had been awarded the library construction grant; and Mike Nolan, on funding for current labor contracts and redevelopment projects.

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

Jt. Mtg. with Redev. Agency 804-3 1102 Jobs Housing Balance Incentive Grant Program for Cottages Child Care Center Mr. Lynch, Senior Redevelopment Project Manager, reported that Proposition 46, the Housing and Emergency Shelter Trust Fund Act (Trust Fund) was approved by voters statewide in 2002 to address California's growing housing crisis. He added that 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 a 12 percent increase in the number of building permits issued for housing during the 2001 calendar year compared to the average of the previous three years.

Mr. Lynch informed the Council that the City applied for grant funds based on the State formula, which allows for an award of up to \$451,100. He clarified that the funds can be used for capital improvements that serve the community, including childcare and community centers. He stated that the City's original application requested funds to construct the proposed Peyton-Grismer Activity Center, and added that 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. He also stated that subsequently, due to funding constraints imposed by the grant, the City modified its application to redirect the funds toward the Cottages Housing and Childcare Center Project, located in the Golden State Redevelopment Project Area, which includes a 92-space childcare center and 20 small-lot single family homes. He noted that the Cottages Childcare Center is currently under construction and is anticipated to be completed in January 2004.

Mr. Lynch concluded with staff's recommendation that the Council appropriate \$397,757 from the 20% Set-Aside Affordable Housing Account for the Peyton-Grismer Project to backfill the transfer of the grant funds. He informed the Council that 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. He added that the Agency will be saving \$397,757 in Golden State Redevelopment Project Area funds that were initially used to fund the Cottages Childcare Center Project.

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

804-3 RESOLUTION NO. 26,576:  
 1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Job Housing ACCEPTING THE JOB HOUSING BALANCE GRANT,  
 Balance Grant AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE  
 And Approving a PURPOSE OF RECEIVING AND APPROPRIATING JOB HOUSING  
 Cooperation BALANCE GRANT FUNDS IN THE AMOUNT OF \$397,797.00  
 Agmt. with FOR THE COTTAGES CHILDCARE CENTER, AND APPROVING  
 Redev. A COOPERATION AGREEMENT WITH THE REDEVELOPMENT  
 AGENCY OF THE CITY OF BURBANK.

Redev. Agency Redevelopment Agency Resolution No. R-2088 Amending the  
 Reso. Adopted 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  
 was adopted.

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Adopted

The resolutions were adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Campbell.

Jt. Mtg. with  
Redev. Agency  
1202-6  
P-Bid Board  
Selection

Mr. Lynch, Senior Redevelopment Project Manager, reported that as part of the Council and Redevelopment Agency (Agency) efforts to improve the Downtown, the Council initiated the formation of a Property-Based Business Improvement District (P-BID) to fund a variety of improvements in partnership with Downtown Burbank property owners. He added that the Management District Plan (Plan) was developed and approved in July 2003 which outlined the major components of the P-BID including: the boundaries; the service plan and budget; the assessment formula; the governance of the organization; and various upgrades such as smart parking, wayfinding signage, street/paseo upgrades and holiday decorations. He also stated that included in the Plan are measures for improved maintenance and security, promotions, advertising, special events and administrative procedures.

Mr. Lynch stated that 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. He added that 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.

Mr. Lynch explained that when the P-BID was approved, the Council also approved the proposed make-up of the P-BID Board. He noted that 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. He informed the Council that staff began advertising for applications for the P-BID Board on October 7, 2003. To that effect, he stated that letters were sent to all stakeholders and property owners, a press release was sent to all local papers including The Leader and Daily News, and announcements were made at two Council meetings. He added that the deadline for submitting applications to the City Clerk's office was October 16, 2003 at 5:00 pm., that 11 applications were received for the nine positions, and noted that applicants who qualify for more than one category may be listed more than once.

Mr. Lynch concluded that 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. He stated that staff anticipates returning with the contract in December 2003.

Motion It was moved by Mr. Golonski and seconded by Mrs. Ramos that "the following applicants in the categories where there were as many applicants as the positions be appointed to the Property-Based Business Improvement District: Mary Alvord and Sue Georgino representing the City and Redevelopment Agency; Yumiko Carr and James O'Neil representing IKEA and the Media City Centre Mall, respectively; Michael Cusumano representing Large Property Owners; and, YMCA Board President Lisa Rawlins, a Non-Voting Board Member, representing a Non-Profit Entity."

Carried The motion was carried by the following vote:

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

Following a vote of the Council, the following applicants were also appointed to the Property-Based Business Improvement District: Anthony Delcau and Morris Goodstein representing the Village Area; Paul Ehre, At Large Board Member/Small Business Owner; Michael Wilford, a Non-Voting Board Member, representing Burbank Residents; and, Raymond Adams, representing Small Property Owners.

8:07P.M. Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 8:07 p.m. with the same members present.

Motion It was moved by Mrs. Ramos and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."

Minutes Approved The minutes for the regular meeting of October 14, 2003 were approved as submitted.

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804-3 801-2 State Domestic Preparedness Equipment Grant	<u>RESOLUTION NO. 26,577:</u> 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.
1007-1 Revise Spec. of Clerical Worker	<u>RESOLUTION NO. 26,578:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF CLERICAL WORKER (CTC No. 0196).
1007-1 Revise Spec. of Utility Worker	<u>RESOLUTION NO. 26,579:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF UTILITY WORKER (CTC No. 0975).
1007-1 Revise Spec. of Police Sgt.	<u>RESOLUTION NO. 26,580:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE SERGEANT (CTC No. 0654).
1007-1 Revise Spec. of Police Lt.	<u>RESOLUTION NO. 26,581:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE LIEUTENANT (CTC No. 0648).
1007-1 Revise Spec. of Police Capt.	<u>RESOLUTION NO. 26,582:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF POLICE CAPTAIN (CTC No. 0641).
1007-1 Revise Spec. and Re-title Accounting Operations Supr.	<u>RESOLUTION NO. 26,583:</u> 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).



1007-1  
 Revise Spec. of Management Services Director  
RESOLUTION NO. 26,584:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION OF MANAGEMENT SERVICES DIRECTOR (CTC No. 0529).

1007-1  
 Revise and Retitle Spec. of Employee Relations Admin.  
RESOLUTION NO. 26,585:  
 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).

1007-1  
 Revise and Retitle Spec. of Risk Manager  
RESOLUTION NO. 26,586:  
 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).

1007-1  
 Revise and Retitle Spec. of Power Systems Superintendent  
RESOLUTION NO. 26,587:  
 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 SYSTEMS OPERATIONS MANAGER (CTC No. 0270).

Adopted                    The consent calendar was adopted by the following vote:

Ayes:        Council Members Golonski, Ramos, Vander Borgh and Murphy.  
 Noes:        Council Members None.  
 Absent:      Council Member Campbell.

1503  
 Approval of BWP'S Landfill Electric Generation Expansion Project  
 Mr. Fletcher, Assistant General Manager/Power Supply, Burbank Water and Power (BWP), requested Council approval of a Public Benefits Research and Development Project that will be partly funded by a California Energy Commission (CEC) grant. He recounted that in 1999, it was proposed to develop a Public Benefits Research and Development Project utilizing landfill gas at the Burbank Landfill. He stated that the project involved using combustion turbines powered by landfill gas to generate electricity. He explained the benefits considered by staff at that time, and mentioned that other cities implemented similar

projects. He added that project construction began in December 2000, was completed by 2001, on time and within budget, and was the first project of its kind.

Mr. Fletcher further reported that, unfortunately, the ten compressors failed due to their inability to handle the corrosive landfill gas. He noted that other cities also experienced similar failures with the exception of the Los Angeles County Sanitation District's micro-turbine project at its Calabasas Landfill, which has operated very well for over a year. He explained that staff has since determined that a sliding vane type compressor can be used successfully on landfill gas micro-turbine projects. He added that these refinements in technology were developed after the Burbank Landfill Project. Rather than restoring the units, he stated that staff considered utilizing the funds for an upgrade and expansion of the project.

Regarding the fiscal impact, Mr. Fletcher stated that the project's total cost is \$1,100,000, and explained that \$450,000 will be provided by the CEC; \$400,000 will be funded from BWP's Power Supply Program; and, \$250,000 from the Public Benefits Program. He added that the expansion will allow for the use of two-thirds of the landfill gas as opposed to the one-third currently utilized. He explained that the project is considered a renewable energy resource, allowing for the cost to be charged against the utility's Public Benefits spending obligation. He also stated that the project would be added to the City's renewable energy portfolio.

Mrs. Ramos requested clarification on whether future maintenance will require additional costs, and Mr. Fletcher responded that since staff would absorb the maintenance into their regular workload, no additional costs would be incurred.

Motion

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

1503  
Approve Design  
And  
Construction  
Agmt. with  
Stearns, Conrad  
And Schmidt

RESOLUTION NO. 26,586:  
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.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Campbell.

1503  
BWP'S  
Residential  
Rebate Recomm.  
for Solar Attic  
and Ceiling Fans

Mrs. Meyer, Marketing Manager, Burbank Water and Power (BWP), reported that on September 16, 2003, staff updated the Council on BWP's existing Public Benefits Programs and requested approval for several new programs. She stated that the Council approved all 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.

Mrs. Meyer added that staff's research revealed that the price range for a solar attic fan is approximately \$300 to \$500. She informed the Council that BWP's current rebate is either \$50 or \$100, depending on whether the fan costs under or over \$500, respectively. She stated that staff recommended increasing the rebate amount for any solar attic fan to \$200, to serve as a strong purchase incentive for these renewable energy products.

In addition, Mrs. Meyer requested that the Council approve the inclusion of Energy Star-rated ceiling fans into the residential rebate program. She stated that 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. She also noted that neighboring utilities offer ceiling fan rebates, setting a precedent. She informed the Council that staff recommended rebates of \$50 for ceiling fans purchased from Burbank retailers and \$25 rebates for purchases from non-Burbank retailers. She noted that the \$50 rebates represent 25 percent to 50 percent of the purchase price of most ceiling fan models.

Motion

It was moved by Mr. Vander Borght and seconded by Mrs. Ramos that "the rebate incentive for solar attic fans be increased to \$200, and that Energy Star ceiling fans be added to the list of approved products in Burbank Water and Power's residential rebate program."

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Carried

The motion was carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Campbell.

1503  
1504  
BWP Monthly  
Operating Report

Mr. Davis, General Manager, Burbank Water and Power (BWP) reported that water quality during September 2003 met or exceeded State and Federal drinking water standards. He noted the increase in the amount of water purchased from the Metropolitan Water District and added that staff anticipated the amount to further increase through the end of Fiscal Year 2003-04, due to the upgrade of the volatile organic compound removal equipment at the Burbank Operable Unit. He informed the Council that water costs are on budget, gave a status report on the improvements on Reservoir No. 2, and reported that the installation of 1100 feet of 12-inch water main on Buena Vista Street was completed.

Regarding electric reliability, Mr. Davis reported that Burbank had two power outages during September 2003. Also, he informed the Council that energy sales attained a record level in August and September 2003. He also noted that Southern California Gas Company has filed a new rate case, with the proposed structure doubling the rates for large generators such as BWP. He also reported on the progress of the Magnolia Power Project.

Mr. Golonski reported on the Intermountain Power Project tour he took with Mr. Campbell, and requested that future water and power reports include additional data on the reserve target progress.

Mr. Vander Borgh also reported on the underground water storage facilities tour, and noted the deteriorating condition of the storage facility adjacent to Palm Ball Field. He requested that the Council consider integrating an additional ball field with the reconstruction of that facility.

The Council noted and filed the report.

8:38 P.M.  
Reconvene  
Redev. Agency  
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Final Open Public Comment Period of Oral Communications Ms. Murphy called for speakers for the final open public comment period of oral communications at this time.

Citizen Comment There were no speakers for the final open public comment period of oral communications.

301-2 Memorial Adjournment There being no further business to come before the Council, the meeting was adjourned at 8:39 p.m. in memory of Bret Osborn.

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Margarita Campos, City Clerk

APPROVED OCTOBER 28, 2003

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Mayor of the Council  
of the City of Burbank