

TUESDAY, NOVEMBER 18, 2003

A regular meeting of the Council of the City of Burbank was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 5:00 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell (arrived at 5:02 p.m.), Golonski, Ramos, Vander Borgh and Murphy.  
Absent - - - - Council Members None.  
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 was Mike Nolan, requesting further information on the Blanchard Trust property negotiations and the \$1.5 million appropriation for a soccer field.

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:** Deborah McMurray, et al. v. City of Burbank.  
**Case No.:** BC247304  
**Brief description and nature of case:** Alleged employment discrimination.
- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s):** 1
- c. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957 and 54957.6  
**Title of Employee’s Position:** City Attorney.
- d. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957 and 54957.6  
**Title of Employee’s Position:** City Manager.

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Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:30 p.m. by Ms. Murphy, Mayor.

Invocation      The invocation was given by Officer Peter Eirich, Burbank Police Department Chaplain.

Flag Salute      The pledge of allegiance to the flag was led by Detective Darin Ryburn, representing the Burbank Police Officers Association.

ROLL CALL

Present- - - -      Council Members Campbell, Golonski, Ramos, Vander Borght and Murphy.

Absent - - - -      Council Members None.

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

Reporting on Council Liaison Committees      Mr. Vander Borght reported on the Environmental Oversight Committee meeting he attended with Mr. Campbell which was dedicated to reviewing the proposed Home Depot Draft Environmental Impact Report (EIR). He noted the potential health hazards on the property and expressed support for the methodology proposed for cleaning up the property. He added that the Draft EIR has been made available to the Council.

Mr. Campbell noted the benefits of cleaning up the site and stated that the written public comment period closed on Friday, November 14, 2003. He informed the Council that he submitted written comments which are available to anyone interested. He also reported on the Mobility 21 Conference he attended on November 17, 2003 on addressing traffic in the year 2020.

Mrs. Ramos reported on the progress of the subcommittee meetings with the Burbank Unified School District (BUSD) on identifying ways to fundraise for the BUSD. She announced the formation of the Priority In Education (PIE) Foundation, which will work with the business community to establish priorities and support the schools.

Mr. Golonski expressed strong support for the PIE Foundation and announced a press release on the donation of three million sheets of paper to the schools from NBC Studios.

Mr. Vander Borcht also reported on the Development and Community Services Building subcommittee meeting, noting the progress made to date.

Mr. Golonski reported that he met with the Burbank Hilton representatives together with Mr. Vander Borcht, to consider scheduling a future meeting regarding renegotiating the Hilton Participant Note.

Reporting on  
Closed Session

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

406  
Airport Authority  
Meeting

Commissioner Wiggins reported on the Airport Authority meeting of November 17, 2003. He stated that the Authority approved: 1) an application to the Federal Aviation Administration for the use of \$5 million of the Passenger Facility Charge fees for reimbursement for Airport infrastructure and environmental mitigation projects; 2) a design for an in-line baggage inspection system which will cost \$154,000; and, 3) Amendment No. 1 to the Lease Agreement with Million Air-Burbank FBO. He added that the Authority also discussed the airline schedule analysis and the projected number of Airport passengers per the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) aviation forecast for 2030. He informed the Council that the Legal and Environmental Committee will be further discussing the RTP forecast and presenting a report to the Authority.

Mr. Golonski requested that the Council review the requirement for the regular Airport Authority reports as the meetings are televised, and suggested that the Commissioners come before the Council with specific items of interest.

Mr. Campbell inquired about the potential impact on the Airport in terms of capacity in view of the fact that the El Toro Marine Base will not be converted into a civilian airport. Commissioner Wiggins responded that the matter had not been discussed, but stated that the Council would be notified when the item is placed on the Authority agenda.

Mrs. Ramos commented on the SCAG RTP report, and noted that the public comment period was still open.

The Council noted and filed the report.

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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 Howard Rothenbach, Mark Stebbeds and Mark Barton on real estate signage; Katherine Cook, Sam Asheghian and Lisa Marquis on behalf of the Magnolia Park Merchants, announcing the annual Holiday In The Park event on November 22, 2003, noting the event activities and inviting the community to attend; David Piroli, expressing condolences to the Police Department and the family of Officer Pavelka, expressing concern with changing the name of the Airport to Bob Hope Airport and noting the license agreement is extremely restrictive; and, Ron Vanderford, inquiring when the issue of compact parking spaces will be brought before the Council.

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 Paul Dyson, on renaming the Airport in memory of Bob Hope, stating this is a commercial transaction, noting that the City already has a Bob Hope Drive, and urging the Council to keep the name of the Airport as is; Michael Hastings, Direct Point Advisors, reading from a letter by Linda Hope expressing appreciation for the prospect of renaming the Airport in memory of Bob Hope, stating the License Agreement clearly authorized the Airport to use the Bob Hope name in any way to promote the Airport and emphasizing that this is not a commercial venture by the Hope family; Ron Vanderford, on renaming the Airport in memory of Bob Hope, expressing disagreement with Council Member Golonski's request to eliminate the regular Airport Authority meeting report; Howard Rothenbach, expressing disagreement with the elimination of the regular Airport Authority meeting report and urging the Council to reserve part of the bond proceeds to pay off the redevelopment debt; C.L. Stack, in opposition to renaming the Airport in memory of Bob Hope, and to the elimination of the Airport Authority meeting report;

Mark Barton, on renaming of the Airport; David Piroli, on licensing issues with regard to the use of the Bob Hope name and on the costs associated with the name change; and, Mike Nolan, commenting on announcements made at Council meetings, and on budget issues, including the proposed construction of a soccer field and the Development and Community Services Building.

Staff  
Response

Members of the Council and staff responded to questions raised.

406  
Renaming of the  
Airport to Bob  
Hope Airport

Ms. Riley, Senior Assistant City Attorney, discussed the proposal to rename the Burbank-Glendale-Pasadena Airport to the Bob Hope Airport. She noted that before the name of the Airport can be changed, the Council needs to approve the formal amendment of the Joint Powers Agreement as will the other member cities. She explained that the First Amendment to the Amended and Restated Joint Exercise of Powers Agreement Among the Cities of Burbank, Glendale and Pasadena mirrors the earlier amendment which changed the name of the Airport from the Hollywood-Burbank Airport to the Burbank-Glendale-Pasadena Airport. She added that the amendment will change the Airport name from the Burbank-Glendale-Pasadena Airport to the Bob Hope Airport.

Ms. Riley informed the Council that the Burbank-Glendale-Pasadena Airport Authority entered into a License Agreement with Hope Enterprises, Inc., which owns and controls the right to use the Bob Hope name and persona. She briefly discussed the aspects of License Agreement, and noted that only the name of the Airport is proposed to be changed and that the Authority would remain as the Burbank-Glendale-Pasadena Airport Authority.

Mr. Golonski noted that the proposed name change did not have any fiscal impact on the City and affirmed that it is a fitting tribute to Mr. Hope.

Mr. Vander Borght acknowledged the oral communications comments but emphasized the opportunity to rename the Airport in honor of Mr. Hope who contributed significantly to Burbank.

Mrs. Ramos noted that Mr. Hope was recently named Honorary Veteran by an Act of Congress for his contribution



replaced by Property Tax revenues was still facing challenges; the State repealed six and suspended thirty-seven local government mandates; reimbursement for active mandates has been deferred; revenue from the Public Library Foundation was reduced from \$92,575 to \$46,288; and, the State-mandated one-time Education Revenue Augmentation Fund payment from redevelopment agencies would cost Burbank \$1,343,094. In contrast, Mr. Hanway reported that the Peace Officers Standards Training (POST) reimbursement was reinstated for a revenue increase of approximately \$35,000 not originally included in the FY 2003-04 budget.

He then discussed the General Fund balance for FY 2002-03 and the FY 2003-04 revised General Fund revenue estimates for Sales Tax; Property Tax; Motor Vehicle In-Lieu; and Interest earnings. Next, Mr. Hanway discussed the revised FY 2003-04 General Fund budget and the financial forecast for recurring revenues for Sales Tax; Property Tax; Utility Users Tax (UUT) and In-Lieu Tax, Transient Occupancy Tax; Interest earnings; and, contributions from other funds. He also discussed the financial forecast for recurring expenditures, including: Memoranda of Understanding projected costs; Materials, Services and Supplies costs; Public Employees Retirement System costs; and, the Central Library construction costs and the associated assumptions. Mr. Hanway stated the non-recurring items included the Library ramp-up savings; estimated budget savings; non-recurring revenues; one-time appropriations; amount funded by Burbank Water and Power UUT and In-Lieu; increases in reserves; Airport-related expenditures; and, the Budget Stabilization Fund.

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

Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2090 Amending the Fiscal Year 2003-2004 Budget by Appropriating Funds in the Amount of \$1,343,094.00 from the Unappropriated Fund Balance for a One-Time Educational Revenue Augmentation Fund Payment from the Redevelopment Agency.

801-2  
Magnolia Park  
Streetscape  
Improvements RESOLUTION NO. 26,596:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$125,000.00 FROM GENERAL FUND SAVINGS FOR THE MAGNOLIA PARK STREETScape IMPROVEMENTS.

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801-2  
Adjustments in  
FY 2003-04  
Budget

RESOLUTION NO. 26,597:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$2,741,230.00 FROM FY 2002-2003 FOR THE PURPOSE OF MAKING ADJUSTMENTS IN THE FISCAL YEAR 2003-04 BUDGET.

Adopted                    The resolutions were adopted by the following vote:

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

Noes:        Council Members None.

Absent:     Council Members None.

8:59 P.M.  
Recess

The Council recessed to permit the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board to hold their meetings. The Council reconvened at 9:01 p.m. with all members present.

Motion

It was moved by Mr. Vander Borght and seconded by Mr. Campbell that "the following items on the consent calendar be approved as recommended."

Minutes  
Approved

The minutes for the regular meetings of October 28 and November 4, 2003 were approved as submitted.

802-1  
Treasurer's  
Report

The City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending September 30, 2003 was noted and ordered filed.

1208  
Affordable  
Housing Agmt.  
With BHC for  
2325 and 2335  
N. Fairview St.

RESOLUTION NO. 26,598:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY AND THE BURBANK HOUSING CORPORATION (2325 AND 2335 NORTH FAIRVIEW STREET).

804-3  
801-2  
State Domestic  
Preparedness  
Grant Funds

RESOLUTION NO. 26,599:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING FY 02 STATE DOMESTIC PREPAREDNESS GRANT PROGRAM FUNDS IN THE AMOUNT OF \$44,254.07 FROM THE STATE OF CALIFORNIA'S OFFICE OF HOMELAND SECURITY.



804-3  
801-2  
State Homeland Security Grant Funds

RESOLUTION NO. 26,600:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING PART 1 STATE HOMELAND SECURITY GRANT PROGRAM FUNDS IN THE AMOUNT OF \$132,878.55 FROM THE STATE OF CALIFORNIA'S OFFICE OF HOMELAND SECURITY.

1004  
Flexible Benefits Plan Agmt. with Sheakley Uniservice, Inc.

RESOLUTION NO. 26,601:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING EXECUTION OF THE CITY OF BURBANK FLEXIBLE BENEFITS PLAN ADOPTION AGREEMENT BETWEEN THE CITY OF BURBANK AND SHEAKLEY UNISERVICE, INC.

Adopted                      The consent calendar was adopted by the following vote:

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

1702  
Multiple Family Residential Development

Mr. Forbes, Senior Planner, Community Development Department, reported that at the September 16, 2003 meeting, the Council requested that staff bring back information on multiple-family residential development for deliberation in order to better define the nature of the problem and decide on the appropriate action. He noted the increasing concern expressed by residents and the Council regarding the number of multiple-family residential development citywide and especially in the area east of the downtown. He added that the concern focused on the perceived and anticipated impacts of this new development and the intensification of land use on the neighborhood character.

Mr. Forbes explained that due to high levels of housing demand and economic factors, multiple-family development has been occurring citywide at a relatively rapid pace. He informed the Council that as of November 6, 2003, plans for ninety-six units in nine separate developments in multi-family zones were in the Plan Check process, and added that in 2003 the Planning Division received Development Review (DR) applications for 30 multi-family projects totaling 234 units. By comparison, he stated that in 2002 applications were received for 19 projects totaling 123 units.

Mr. Forbes stated that the Council expressed concern regarding development in the area bounded by Glenoaks Boulevard, Harvard Road, Kenneth Road and to the boundary with the City of Glendale. He stated that nearly 85 percent of the units currently in Plan Check, and approximately 72 percent of the DR applications for 2002 and 2003 were for this the area. He noted that the primary concerns are parking, traffic, building height and mass and the resulting change in neighborhood character. He added that staff assumed these issues to be the result of building density and involving competing needs, goals and priorities. He stated that higher residential densities make it more feasible to provide affordable housing; support the economy of the City; allow for more efficient use of urban infrastructure; and, increase the opportunity for new housing types and residential options to meet the needs of changing demographics. However, he noted the associated drawbacks which include increased traffic, changing the character of the City and loss of the lower-density garden apartments typical of Burbank. He added that staff suggests that the concerns associated with density be addressed by improving development and design standards and more closely linking development density with lot size.

Mr. Forbes stated that, in order to study the complex and inter-related issues of housing, density, design and their associated impacts, staff considered two options. The first option was to study these issues in conjunction with the current update of the General Plan Land Use Element which would allow current development trends to continue while the study was underway with the possibility of completion within one year. He added the second option, recommended by staff, was the adoption of an urgency Interim Development Control Ordinance (IDCO) that would immediately prohibit all multiple-family development until staff studied the issues and proposed necessary changes to the Council regarding densities, design and standards for multiple-family developments. He also added that staff was not supportive of a limited IDCO under which multiple-family development could continue under a Conditional Use Permit or other discretionary process until all concerns have been addressed. He noted that in light of staff's current heavy workload, and the urgency of this matter, staff requested that the Council authorize hiring a consultant to augment staff and provide necessary design expertise.

Staff was directed to present a report with options for adopting an Interim Development Control Ordinance.

9:51 P.M.  
Recess

The Council recessed at this time. The meeting reconvened at 9:59 p.m. with all members present except Mr. Golonski, who returned at 10:23 p.m.

103-4  
Workers  
Compensation

Mrs. Ulloa, Economic Development Manager, Community Development Department, reported that at the October 21, 2003 Council meeting, staff was directed to present a report on Workers Compensation (WC). She stated that California's employers are paying unreasonably high WC premiums resulting in adverse financial hardship on the State's employment sector and economy. She added that WC is a serious problem facing the business community and affecting economic growth in California which has the highest insurance premiums and average total cost per claim, the second highest duration of disability and the highest utilization of vocational rehabilitation. She stated that WC costs in California have risen from \$9 billion in 1995 to more than \$30 billion in 2003, representing a 222 percent increase. She stated that when WC was first introduced in the United States, it was intended to reduce disputes over on-the-job injuries and eliminate the need for litigation, but added that the WC system has become so complicated with rules and regulations that many injured workers often need lawyers to guide them through the system.

Mrs. Ulloa reported that employers renewing WC insurance policies in 2003 are facing unusually steep premium increases for the fourth year in a row. She stated that several significant factors continue to contribute to the increasing cost of premiums, including: new legislation providing increased benefits; a 10.3 percent increase in the pure premium rate; a surcharge to cover the cost of carrier insolvency; increased system costs, particularly in medical benefits; and, the continued anemic state of the WC insurance industry.

Mrs. Ulloa also stated that the City will face many challenges as its business community endures increasing WC rates and other costs. She explained that the majority of Burbank's businesses do not have the ability to self-insure, therefore, the only option available is to obtain WC coverage and bear increasing rates. She informed the Council that staff

contacted several businesses in the City to assess the effect of the escalating WC premiums and received consistent information that they have all experienced substantial increases in their rates, whether they had a clean injury record or not. She added that the City as an employer, has also experienced high WC costs which have not only increased disproportionately in recent years, but have now become a major contributing factor to the ongoing budget crisis.

Mrs. Ulloa further stated that the Legislature approved a WC overhaul on September 12, 2003 that was meant to reduce the cost of treating job-related injuries. She added that Assembly Bill (AB) 227 and Senate Bill (SB) 228, contain the bulk of this reform. However, she reported that there is the expectation that the Bills will produce only modest savings, and that legislators must support additional reform. She noted that organizations like the Burbank Chamber of Commerce, Economic Alliance of the San Fernando Valley, California Chamber of Commerce and League of California Cities all share the belief that AB 227 and SB 228 are steps in the right direction, but also agree that additional significant reform is necessary. She also stated that the Management Services Department provides recommendations on reforms at the local level to reduce WC costs. She noted that in addition to the above-mentioned organizations, Governor-Elect Schwarzenegger is also committed to further reform of the current WC system.

Mrs. Ulloa concluded that if the current WC situation does not improve, it is likely that California businesses will continue to relocate to more business-friendly states, and those who remain will continue to face exorbitant WC premiums and pass the costs along to customers, or lay off employees to afford paying for these costs.

Mr. Patricola, Assistant Management Services Director/Risk Management and Safety, discussed the City's cost reduction plan in an effort to reduce WC costs, including: a centralized light duty program; discontinuance of the six-month salary continuance program for miscellaneous employees which is part of the Memorandum of Understanding, noting that the Police and Fire personnel have a State-mandated one year salary continuance program; hiring an on-site nurse to handle pre-employment medical examinations, first aid claims and preventative care to avoid WC claims; implementing a uniform cap on the amount of time that an employee's position will be held open for industrial and non-industrial injuries; implementing an in-house employee assistance program with a

part-time professional to address potential stress claims or diffuse employee conflicts and reduce litigation costs; and, exploring the possibility of joining a WC joint-purchasing or risk-sharing pool with other agencies to effect savings.

Staff was directed to present an update on the progress of the Workers Compensation Bill, and Ms. Murphy and Mr. Vander Borcht were appointed to the Workers Compensation Subcommittee.

1301-3  
Chandler Blvd.  
Bikeway Project  
(B.S. No. 1119)

Mr. Salehi, Senior Civil Engineer, Public Works Department, requested that the Council approve contract documents, plans and specifications; award a construction contract; approve a Professional Services Agreement (PSA) for construction management; and, authorize the execution of a supplemental funding agreement with the California Department of Transportation (Caltrans) for Bid Schedule No. 1119, Chandler Boulevard Bikeway Project. He reported that the Chandler Boulevard Bikeway Project will construct approximately two miles of landscaped class-1 bikeway on the Chandler Boulevard median from Clybourn Avenue to Mariposa Street. He explained that the scope of work includes construction of portland cement concrete bikeway and pedestrian path, curb, gutter, pedestrian ramp, sidewalk, asphalt pavement, earthwork, signing, striping, traffic signal modifications, landscape planting, and reclaimed water irrigation.

Mr. Salehi informed the Council that Bid Schedule No. 1119 was advertised for construction bids on September 3 and 6, 2003 and nine contractors submitted bids ranging from \$1,778,253 to \$2,424,313. He stated that Valley Crest Landscape Development Inc. of San Fernando, California submitted the lowest bid of \$1,778,253, which is 18.25 percent below the engineer's estimate of \$2,175,257.87. He added that this contractor has previously performed work similar to the scope of work in this project for the City with satisfactory results.

Mr. Salehi also stated that staff recommended that the project's original design firm, David Evans and Associates, Inc. (DEA), be retained to provide construction management services, since the project involves multiple disciplines of civil engineering, traffic engineering, and landscape architecture, and due to the broad scope of work and the need to maintain continuity. He explained that DEA has provided satisfactory consultant services for the City on many past and present

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projects, and that the PSA with DEA includes both construction inspection and contract administration at a cost of \$116,810 which is 6.6 percent of the construction cost. He added that construction of the bikeway is planned to start in December 2003 and be completed by June 2004, and that funds in the amount of \$2,108,316.69 are currently available for construction and construction management services. He further explained the funding sources for the project and added that Caltrans will reimburse the City up to \$750,000 of the construction cost of this project. He noted that the City must execute Program Supplement Agreement No. 010-M to Administering Agency-State Agreement No. 07-5200 for Federal-Aid Projects dated July 15, 1997, in order to receive construction reimbursement from Caltrans. He also added that the City has \$6,920 from Plant-A-Tree donations set aside in a separate account for the purchase of trees.

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

1301-3 RESOLUTION NO. 26,602:  
Chandler Blvd. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Bikeway Project APPROVING AND ADOPTING CONTRACT DOCUMENTS,  
(B.S. No. 1119) PLANS AND SPECIFICATIONS, AND DETERMINING THE  
LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND  
AUTHORIZING EXECUTION OF A CONTRACT FOR CHANDLER  
BOULEVARD BIKEWAY PROJECT, BID SCHEDULE NO. 1119,  
AND SUPPLEMENTAL CONTRACTS RELATED THERETO.

Adopted The resolution was adopted by the following vote:

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

902 Ms. Garcia, Administrative Analyst, Public Works Department,  
Heavy Duty provided the Council with an update on compliance with the  
Solid Waste proposed Diesel Particulate Matter Control Measure for On-  
Collection Road Heavy Duty Residential and Commercial Solid Waste  
Vehicles Collection Vehicle Diesel Engines set forth by the California Air  
Resources Board (ARB). She stated that in 1998, the ARB  
identified diesel particulate matter (PM) as a toxic air  
contaminant and the number one contributor to the adverse  
health impacts of toxic air contaminants. She added that in

October 2000, the ARB adopted the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles, which established a goal of reducing emissions and the resultant health risk from virtually all diesel-fueled engines and vehicles within California by 2020.

Ms. Garcia also added that in June 2003, the ARB proposed the Diesel Particulate Matter Control Measure for On-Road Heavy Duty Residential and Commercial Solid Waste Collection Vehicle Diesel Engines. She explained that the regulation applies to solid waste collection vehicle owners, whether private or governmental entities, and to municipalities that authorize private owners through a contract, franchise agreement, permit, license or similar approval for residential and commercial solid waste collection service. She added that the regulation will mandate the reduction of diesel PM emissions from 1960 to 2006 model year on-road diesel-fueled heavy duty residential and commercial solid waste collection vehicles and that owners of waste collection vehicles will be required to install approved retrofit PM control systems on their existing engines or install new alternative-fuel or heavy duty pilot-ignition diesel engines. She also stated that the requirement for compliance will be phased-in between December 31, 2004 and December 31, 2010, by engine model year group and that the proposed control measure is expected to be adopted and become law in July 2004.

Ms. Garcia stated that in addition to complying with the new regulations, municipalities that contract for refuse service bear joint responsibility with the private refuse service vehicle owners for compliance and enforcement of the above requirements for their vehicles that are used in the performance of the contract service. She explained that municipalities will be required to submit reports to the ARB beginning in 2004 through 2013, which identify all contractors and certify compliance by those contractors with this regulation. She added that if any contractor fails to meet or becomes non-compliant, the municipalities are required to notify the ARB within 30 days of determination.

Ms. Garcia informed the Council that in September 2003, staff reviewed the City's replacement schedule of its 26 refuse trucks that would be impacted by this mandate and that according to the schedule all but one refuse truck will meet the compliance deadline. She stated that staff has moved up the replacement date of this vehicle by one year in order to fully comply with the proposed mandate. She noted that currently, 15 compressed natural gas (CNG) refuse trucks are on order, and will be in service by August 2004 and an

additional seven trucks will be in service by June 2005, with the remaining four trucks in service by June 2006. She added that in anticipation that all other diesel-powered trucks will fall under a similar mandate in the future, staff has reviewed the regular replacement cycle of the 59 diesel vehicles in the general City fleet and determined that by the year 2007, approximately 75 percent of the diesel trucks will be fueled by CNG or gasoline. She added that staff anticipates compliance with any future mandates based on the regular replacement schedule and, therefore, does not recommend any actions be taken. She noted that these figures do not include the Fire Department or Burbank Water and Power diesel-powered trucks.

Ms. Garcia informed the Council that in an effort to continue the City's commitment to achieve a cleaner environment, staff has researched cleaner-burning diesel fuels that can be used in the City's diesel fleet. She stated that bio-diesel and low-sulfur diesel fuels are two widely available cleaner-burning options. She added that South Coast Air Quality Management District Rule 431.2, Sulfur Content of Liquid Fuels, will require all diesel fuel sold and used on or after June 1, 2006, not to exceed a sulfur content of 15 parts per million. She explained that the City is currently using low-sulfur diesel, meeting the proposed rule and staff recommends continued use of low-sulfur diesel fuel instead of bio-diesel. She concluded that there will be no fiscal impact in complying with the proposed control measure.

The Council noted and filed the report.

804-4  
Appropriation of  
Bond Proceeds

Mr. Hanway, Financial Services Director, requested Council approval to appropriate available bond proceeds from the remarketing of the \$25 million Golden State Redevelopment Project Subordinated Tax Allocation Bonds, Issue of 1993 along with the Burbank Public Financing Authority (BPFA) Revenue Bonds, 2003 Series A, Golden State Redevelopment Project. He explained that in January 2003, the BPFA issued \$87,265,000 in Revenue Bonds, 2003 Series A, Golden State Redevelopment Project with the primary purpose of purchasing in-lieu of redemption most of Golden State Redevelopment Project Tax Allocation Bonds, 1993 Series A and to provide money for projects within the Golden State Redevelopment Project Area. He stated that as a product of the purchase in-lieu of redemption financing, \$5,095,000 of new money has been realized which can be used for City capital projects. He added that in September 2003, the Golden State Redevelopment Project also remarketed its \$25 million



subordinated debt, generating an additional \$22,645,000 which can also be used for City capital projects.

Mr. Hanway informed the Council that staff has identified several capital projects which would be funded by the available bond proceeds (\$27,740,000), including: the Development and Community Services Building (DCSB) in the amount of \$20,043,855; payoff of the City Hall Annex loan at a cost of \$2,057,853; a new soccer field at a cost of \$1,500,000; and, modification of the Public Works Department equipment repair shop to accommodate compressed natural gas (CNG) vehicle repairs at a cost of \$650,000. He added that the remaining \$3,488,292 would be set-aside in a Projects Contingency Fund to cover unanticipated costs and unfunded portions of active projects and other projects in the planning stages, such as: Robert Ovrom Park; Chandler Bikeway; Central Library; and, the future plaza to be located at the northeast corner of Olive Avenue and Third Street next to the DCSB and Library projects.

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

804-4 Providing Funding for DCSB RESOLUTION NO. 26,603:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$1,650,000 FOR THE PURPOSE OF PROVIDING FUNDING FOR THE DEVELOPMENT AND COMMUNITY SERVICES BUILDING.

804-4 Providing Funding for Public Works Repair Shop for CNG Vehicles RESOLUTION NO. 26,604:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$650,000 FOR THE PURPOSE OF FUNDING THE MODIFICATION OF THE PUBLIC WORKS EQUIPMENT REPAIR SHOP TO ACCOMMODATE CNG VEHICLE REPAIRS.

804-4 Providing Funding for DCSB and other Capital Projects RESOLUTION NO. 26,605:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$27,740,000 FOR THE PURPOSE OF PROVIDING FUNDING FOR THE DEVELOPMENT AND COMMUNITY SERVICES BUILDING AND OTHER CAPITAL PROJECTS THROUGHOUT THE CITY.

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804-4  
Funding Various  
Capital Projects

RESOLUTION NO. 26,606:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$5,095,000 FOR THE PURPOSE OF FUNDING VARIOUS CAPITAL PROJECTS THROUGHOUT THE CITY.

804-4  
Providing  
Funding for the  
DCSB

RESOLUTION NO. 26,607:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$1,650,000 FOR THE PURPOSE OF PROVIDING FUNDING FOR THE DEVELOPMENT AND COMMUNITY SERVICES BUILDING.

Adopted

The resolutions were adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Ramos, Vander Borcht and Murphy.

Noes: Council Members None.

Absent: Council Members None.

201-1  
Civic  
Announcements  
At Council Mtg.

Mr. McManus, Public Information Officer, stated that the purpose of this item is to streamline the procedure for publicizing certain civic events, and to manage the length of announcements read by the Mayor at the beginning of Council meetings. He reported that at the October 21, 2003 meeting, the Council directed staff to review the issue and provide recommendations. He added that some Council Members expressed the view that too many announcements detracted from the main business of the meeting.

Staff was directed as follows: 1) announcements regarding vacancies on Boards, Commissions and Committees, major schedule and venue changes and emergency announcements continue to be included in the Mayor's script; 2) items less closely associated with the central core of the City's administration, such as picnics, festivals, guest speakers, local nonprofit and other localized events, not be included in the Mayor's script and that staff impose limits and become more selective with those announcements that take time away from the business of the evening; 3) other publicity avenues such as the Channel 6 bulletin board, employee newsletter, City-wide general newsletter, City website, Burbank Council News or Burbank Futures be used for items not included in the Mayor's script; and, 4) the Burbank Council News program be scheduled to immediately precede the cablecasting of Council

meetings, thereby taking advantage of the relatively large television audience that Council meetings usually enjoy, and utilizing the last minutes of that program for various civic announcements.

11:02 P.M.            The Redevelopment Agency, Housing Authority, Parking  
Reconvene            Authority, and Youth Endowment Services Fund Board  
Redev. Agency,       meetings were reconvened at this time.  
Housing  
Authority,  
Parking  
Authority and  
YES Meetings

Final Open            There was no response to the Murphy's invitation for speakers  
Public Comment      for the final open public comment period of oral  
Period of Oral        communications at this time.  
Communications

301-2                 There being no further business to come before the Council, the  
Memorial              meeting was adjourned at 11:03 p.m. in memory of Peggy  
Adjournment         Stone and Burbank Police Officer Matthew Pavelka.

s/Margarita Campos  
Margarita Campos, City Clerk

APPROVED DECEMBER 9, 2003

s/Stacey Murphy

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Mayor of the Council  
of the City of Burbank