

TUESDAY, JANUARY 6, 2004

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 5:05 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Ramos, Vander Borgh and Murphy.

Absent - - - - Council Member Golonski.

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

Oral Communications There was no response to the Murphy's invitation for oral communications on Closed Session matters at this time.

5:06 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 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  
**Agency Negotiator:** Management Services Director/Judie Sarquiz.  
**Employee Organization:** Burbank City Employees Association and Burbank Management Association.  
**Summary of Labor Issues to be Negotiated:** Current Contracts and Retirement issues.

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Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:36 p.m. by Ms. Murphy, Mayor.

Invocation      The invocation was given by Bethany Carpenter, First United Methodist Church.

Flag Salute      The pledge of allegiance to the flag was led by Maya Chupkov and Kendall Capshaw, X-Treme Attitude Girls Volleyball Team members.

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.

301-1  
Girls Volleyball  
Southern  
California Muni.  
Athletic  
Federation  
Tournament      Mayor Murphy recognized the X-Treme Attitude Girls Volleyball Team for their athletic achievements and fine example of sportsmanship. She presented Certificates of Recognition to X-Treme Attitude coaches, Glenn Hamanaka and Teresa Mackey, and team members: Emily Tubert; Maddie O'Donnell; Kaylee Mackey; Traci Hamanaka; Caitlin Dietz; Jessica Diaz; Amy Clarke; Maya Chupkov; and, Kendall Capshaw. Team members expressed appreciation to the Council for the recognition and to the Park, Recreation and Community Services Department for offering the Youth Volleyball Program.

301-1  
Tournament of  
Roses      Mayor Murphy also recognized the Burbank Tournament of Roses Association for the 2003 rose float entry titled "Moosic, Moosic, Moosic," which won the Queen's Trophy in the 2004 Annual Pasadena Tournament of Roses Parade for the best use and display of roses in concept, design and presentation. She noted that the float was adorned with nearly 20,000 roses and was the City's seventy-second entry in the Annual Rose Parade. Teri Bastion, President of the Burbank Tournament of Roses Association, received the Certificate of Recognition, expressed appreciation to the Council, City Departments and all volunteers who helped decorate the float, and introduced float designers Jennifer Edward and Tamara Carlson-Woodard.

Reporting on  
Council Liaison  
Committees      Mr. Vander Borght reported on the AMC Phase II project subcommittee meeting which he and Mayor Murphy attended.

Reporting on  
Closed Session

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

406  
Airport Authority  
Report

Commissioner Brown reported on the Airport Authority meeting of January 5, 2004. He stated that the Authority awarded a contract in the amount of \$197,300 to Excel Paving Company of Long Beach, for modifications to the east ramp hardstand to accommodate larger airplane models; and, approved an application to the South Coast Air Quality Management District for a grant in the amount of \$129,500 for retrofitting the Airport diesel fleet. He also reported that Bob Hope Airport would be installing new signage in compliance with Assembly Bill 846 which further restricts and prohibits smoking within 20 feet of a public building. He noted the continued violation of the voluntary curfew by United Airlines and stated that the Airport Authority is actively pursuing a commitment from United Airlines to abide by the curfew. He suggested that the Council also send letters to United Airlines regarding the continued curfew violations. He also informed the Council that the Airport Authority is still investigating a 10:57 p.m. departure on January 3, 2004 by a Gulfstream 3 general aviation aircraft, even though it is not subject to the voluntary curfew.

The Council directed staff to send a letter to United Airlines expressing disapproval of the continued voluntary curfew violations, and a letter to Commissioner Holden in appreciation for his efforts in pursuing a commitment from United Airlines to abide by the curfew.

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 Gary Garrison, on the high cost of movie tickets for seniors; Salina Coria and Jeremy Intal, representing Teens in Action, inviting the Council and community to the first annual youth-police officer basketball game to be held on January 11, 2003 in the gym at Burbank High School, in an effort to enhance the relationship between the youth and the Police Department; Debbie Gates, representing Shakespeare At Play, expressing appreciation to the Park, Recreation and Community Services Department for

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sponsoring the first annual Shakespeare Festival, and to the Council for a grant to assist disadvantaged youths; Jane Johnson, stating she is a nurse at Saint Joseph Medical Center (SJMC), commenting on labor negotiation issues for healthcare benefits at SJMC; Edward Guerrero, alleging police misconduct; and, Mark Barton, commending the Police Department and commenting on the new Airport logo design using a caricature of Bob Hope.

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 Sam Asheghian; Katherine Cook; William Swoger; Troy Swezey; Dr. Jay Adams; Ira Lippman; Lori Tubert; and, Dr. David Gordon outlining their qualifications and requesting Council support for appointment to the Magnolia Park Community Advisory Committee; Steven Kerstein, conductor of Burbank Philharmonic, expressing appreciation to the Council for PerformArts Grants over the past twelve years, noting the City is fortunate to provide a first-class symphony orchestra and requesting the Council reinstate the grants program; Mike Nolan, commenting on the Hilton Hotel Participant Repayment Note prepayment offer; and, Natalie Middleton, representing Media City Ballet, a beneficiary of the PerformArts Grant program, requesting continued Council support.

Staff  
Response

Members of the Council and staff responded to questions raised.

8:06 P.M.  
Recess

The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 8:21 p.m. with all members present.

Motion

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

Minutes Approved           The minutes for the regular meeting of December 9, 2003 were approved as submitted.

1202-6                        RESOLUTION NO. 26,631:  
 Agreement with           A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 P-Bid                         APPROVING AN AGREEMENT WITH THE DOWNTOWN  
                                   BURBANK PARTNERSHIP, INC. FOR THE ADMINISTRATION OF  
                                   THE DOWNTOWN BURBANK PROPERTY AND BUSINESS  
                                   IMPROVEMENT DISTRICT.

906                            RESOLUTION NO. 26,632:  
 FY 2003-08                A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Fair Housing               APPROVING THE ANALYSIS OF IMPEDIMENTS TO FAIR  
 Plan                         HOUSING CHOICE (AI) AND ADOPTING THE FAIR HOUSING  
                                   PLAN (FISCAL YEARS 2003-08).

1301-3                       RESOLUTION NO. 26,633:  
 Robert Gross              A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Park Frontage             APPROVING A CHANGE ORDER IN THE MAXIMUM AMOUNT  
 Renovation                OF \$52,000 FOR THE ROBERT GROSS PARK FRONTAGE  
 (B.S. No. 1145)          RENOVATION, BID SCHEDULE NO. 1145.

1411-2                       RESOLUTION NO. 26,634:  
 Extension of                A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Time Frames for          AMENDING AND RESTATING RESOLUTION NO. 25,566  
 Conditions in             WHICH ORDERS THE CONDITIONAL VACATION OF A  
 V-325                       PORTION OF THE ALLEY BOUNDED BY OLIVE AVENUE, THIRD  
                                   STREET, ANGELENO AVENUE, AND SAN FERNANDO  
                                   BOULEVARD (V-325, BURBANK REDEVELOPMENT AGENCY –  
                                   APPLICANT).

Adopted                     The consent calendar was adopted by the following vote:

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

701                            Staff requested that this item be continued to the January 13,  
 412                            2004 Council meeting.  
 Library Reading              
 and Literacy                 
 Imp. Bond Act of            
 2000

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Motion It was moved by Mr. Golonski and seconded by Mrs. Ramos that "this item be continued to the January 13, 2004 Council meeting."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

203  
Magnolia Park  
Focus Group  
Findings

Mrs. Stewart, Administrative Analyst, Community Development Department, reported that in October 2003, staff from the Community Development Department, Burbank Water and Power, and the Burbank Chamber of Commerce met with the Magnolia Park Merchant Group to support, coordinate and help organize their holiday decorations. She added that during these meetings, staff witnessed an exciting, proactive and enthusiastic group of merchants. She noted that while the holiday efforts were in progress, staff also solicited applications for filling vacancies on the Magnolia Park Community Advisory Committee and seized an opportunity to conduct focus group meetings to determine the present situation and future needs for Magnolia Park.

Mrs. Stewart reported that in November 2003, staff initiated the Magnolia Park focus groups with a desire to achieve a roadmap that would lead the district through a series of steps to allow it to fulfill its potential, developed by and for its own residents and businesses. She added that all recommendations developed were formulated directly by residents and business owners in the Magnolia Park area. She explained that five focus groups were scheduled between October 20, and November 3, 2003, and consisted of approximately five attendees per session classified by key segments of the market: residents; retail merchants; commercial and office tenants; property owners; and, Burbank residents who rarely go to the Magnolia Park area. She stated that a total of 25 people attended these five two-hour sessions from 41 invitees.

Mrs. Stewart reported that the general recommendations received by staff included: establishing a district structure to secure and manage operations and marketing funds such as a Business Improvement District; developing a tenant attraction program; exploring the possibility of mixed-use loft-type housing opportunities along Hollywood Way and Magnolia Boulevard; continuing the expansion of the angle parking plan; zoning

review to allow for a more dynamic retail, restaurant and café mix; continuing landscape and hardscape theming along main thoroughfares; designing a store-front façade improvement program especially for post production houses; and, launching several special events like the recent Holiday in the Park.

Mrs. Stewart concluded with staff's recommendation that the focus groups' findings be shared with the Magnolia Park Community Advisory Committee and that staff return to the Council with an action plan to carry out various recommendations.

The Council noted and filed the report.

203  
Magnolia Park  
CAC  
Appointment

Mr. Garcia, Redevelopment Project Analyst, Community Development Department, requested that the Council appoint members to the Magnolia Park Community Advisory Committee (CAC) from the qualified applicants. He reported that on September 23, 2003, staff sought Council direction to fill two existing vacancies on the CAC and to address the issue of inactive members. He explained that in the past two years when a quorum was not established, the number of members attending was six, which would have allowed for a quorum to convene if the Committee had only 11 members. He stated that staff recommended that the Council consider reducing the Committee to 11 positions with six merchants and five residents, thereby reducing the number needed to achieve a quorum to six. He explained that staff recommended six merchants on the Committee since the predominant issues that the CAC has dealt with in the past have had to do with businesses along Magnolia Boulevard, such as promotions and retail vacancies.

Mr. Garcia stated that the Council directed staff to seek recommitment from the current CAC members and to advertise for new applications. He added that the Council also indicated that a decision on the size of the CAC would be determined based on the number of qualified applicants. He informed the Council that staff began advertising for applications for the CAC on October 3, 2003 and the deadline for submitting applications to the City Clerk's Office was November 14, 2003 at 5:00 pm. He stated that staff received 20 applications, and has reviewed them to make sure they meet the minimum requirements for the resident or merchant categories within the Magnolia Park neighborhood. He noted that once selected, staff

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will promptly schedule a meeting to brief the appointees on the various existing and proposed activities for the area, including: marketing and promotions; the expansion of angle parking; the reuse of the old Thrifty building; and, the shared use of the Burbank Community Church parking lot.

Motion

It was moved by Mr. Golonski and seconded by Mrs. Ramos that "the Magnolia Park Community Advisory Committee be increased to 15 members with inclusion and membership at the discretion of the Community Development Director, and that the following applicants be appointed to the Committee. Merchants: Ira Lippman; Jay Adams; Katherine Cook; Lisa Marquis; Sam Asheghian; William Swezey; William Swoger and, Yasmine Wolfe. Residents: Alex Moreno; JC Hryb; Laurie Vanatta; Linda Kelman; Lori Tubert; Nancy Winogradow; and, Sara Mendez."

Carried

The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

804-3  
PerformArts  
Grant Program  
Status Report

Mr. Hansen, Interim Park, Recreation and Community Services Director, reported that in 1993, the City developed and implemented the PerformArts Grant Program with a mission to actively foster, develop and assist with funding for the performing arts in Burbank and to encourage arts participation and experiences by and for all members of the public. He added that a competitive review process was developed to award financial assistance to local non-profit arts organizations for partial support of general expenses for performing art programs and projects.

Mr. Hansen informed the Council that as part of the budget reduction process, the Fiscal Year (FY) 2003-04 PerformArts Grant allocation was reduced from \$77,050 to \$39,073. The purpose of this allocation was to fund the completion of the FY 2003-04 funding cycle and eliminate the FY 2004-05 funding cycle. Additionally, he stated that the Council requested that staff return during the mid-year budget process with an update regarding the PerformArts Grant Program.



Mr. Hansen added that a subcommittee consisting of staff and current recipients of the PerformArts Grants held several meetings in fall 2003 to discuss the status of the 2003 grant allocation and the future of the PerformArts Grant Program. He noted that one of the goals of the subcommittee was to provide the Park, Recreation and Community Services Board (Board) and the Council with a framework of ideas and opportunities to assist with the future support and promotion of the performing arts community. He stated that the recommendations were communicated to the Board at their November 13, 2003 meeting.

Mr. Hansen added that the Board discussed the financial status of the PerformArts Grant Program and several items were suggested to provide potential funding mechanisms and to promote performing arts in Burbank. Following this discussion, he stated that the Board requested staff convey its appreciation to the Council for the ten-year commitment to the PerformArts Grant Program and also requested that the following recommendations be presented for Council consideration when the PerformArts Grant Program was reviewed in January 2004: that strong consideration be given to reinstate some level of funding for the PerformArts Grant Program for the FY 2004-05 funding cycle; a funding plan be developed on a short-term and long-range basis, including identifying financial support alternatives for the PerformArts Grant Program; and, staff be requested to facilitate and encourage the development efforts of the newly-formed Burbank Performing Arts Association.

Mr. Hansen concluded with staff's recommendation to not reinstate funding for the PerformArts Grant Program at this time, but to support the development of an independent Burbank Performing Arts Association. He noted that staff strongly supported revitalizing the PerformArts Grant Program as soon as the City's budget situation improved.

Mr. Golonski requested that the Council allocate \$50,000 to fund the FY 2004-05 funding cycle and consider establishing a permanent endowment with \$500,000 as a permanent funding source for the PerformArts Grant Program. He suggested that 90 percent of the annual interest earned in the endowment be utilized to fund the Program, and that the City provide an option for developers to allocate 10 percent of the Art in Public Places fees to the endowment.

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Mr. Vander Borcht expressed appreciation for Mr. Golonski's proposal but noted the need to provide funding for the core and basic services of the community. He stated that funding performing arts, as noble and necessary as it is for the long-term health and well-being of the community, is not a core issue and responsibility, especially in light of the current fiscal constraints.

Mr. Campbell stated his support for the arts, but noted that due to the current budget situation, he was not in favor of reinstating funding or establishing the endowment.

Mrs. Ramos recognized the progress made by the performing arts during the past decade and stated that the synergy in the performing arts will not subside due to lack of funding. She expressed support for staff's recommendation and suggested soliciting donations from the business and resident community.

Ms. Murphy recognized the intrinsic value of the performing arts, but noted that the City is still not in a position to pay for known obligations, such as safety personnel retirement. She stated that there is never an end to great programs in need of funding, and noted that due to the current budget crisis, the City was not in a position to honor all requests. She suggested establishing partnerships with Downtown Burbank Partnership Inc. or the Magnolia Park Community Advisory Committee to consider fundraisers through merchants and also supported providing an option to developers to contribute 10 percent of the Art in Public Places fees to fund arts programs, but was not supportive of establishing an endowment for programs that the City was not obligated to provide.

The Council noted and filed the report.

Ordinances  
Submitted

It was moved by Mr. Golonski and seconded by Mr. Vander Borcht that "Ordinance Nos. 3629, 3630, 3631 and 3632 be read for the second time by title only and be passed and adopted." The titles to the following ordinances were read:

1108  
Extending Time  
Limits for S. San  
Fernando Project  
Area

ORDINANCE NO. 3629:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK EXTENDING THE TIME LIMITS ON THE LIFE OF THE SOUTH SAN FERNANDO REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND THE TIME LIMITS TO COLLECT TAX INCREMENT FROM THE SOUTH SAN FERNANDO REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN FOR THE PAYMENT OF INDEBTEDNESS.

1103  
Extending Time  
Limits for City  
Centre Project  
Area

ORDINANCE NO. 3630:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK EXTENDING THE TIME LIMITS ON THE LIFE OF THE CITY CENTRE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND THE TIME LIMITS TO COLLECT TAX INCREMENT FROM THE CITY CENTRE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN FOR THE PAYMENT OF INDEBTEDNESS.

1104  
Extending Time  
Limits for Golden  
State Project  
Area

ORDINANCE NO. 3631:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK EXTENDING THE TIME LIMITS ON THE LIFE OF THE GOLDEN STATE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND THE TIME LIMITS TO COLLECT TAX INCREMENT FROM THE GOLDEN STATE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN FOR THE PAYMENT OF INDEBTEDNESS.

1105  
Extending Time  
Limits for West  
Olive Project  
Area

ORDINANCE NO. 3632:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK EXTENDING THE TIME LIMITS ON THE LIFE OF THE WEST OLIVE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND THE TIME LIMITS TO COLLECT TAX INCREMENT FROM THE WEST OLIVE REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN FOR THE PAYMENT OF INDEBTEDNESS.

Adopted                      The ordinances were adopted by the following vote:

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

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9:43 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

Appearing to comment was Mike Nolan, on the Hilton Hotel Participant Repayment Note prepayment offer.

Staff  
Response

Members of the Council and staff responded to questions raised.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 9:47 p.m.

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Margarita Campos, City Clerk