

TUESDAY, FEBRUARY 17, 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 5:03 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

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

Absent - - - - Council Members None.

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

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

5:03 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 Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan Georgino.
Property: 150 East Providencia Avenue (between South San Fernando Boulevard and the I-5 Freeway).
Parties with Whom City is Negotiating: Gary Gunton, 150 East Providencia Avenue.
Name of Contact Person: Bruce Stratton, a Broker with Bruce Stratton Real Estate Services.
Terms Under Negotiation: Possible acquisition by the City.

- b. Conference with Labor Negotiator:
Pursuant to Govt. Code §54957.6
Name of Agency Negotiator: Management Services Director/Judie Sarquiz.
Name of Organization Representing Employee:
Represented: Burbank City Employees Association, Burbank Management Association, International Brotherhood of Electrical Workers, Burbank Firefighters Association, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.
Summary of Labor Issues to be Negotiated: Contracts for Fiscal Year 204-05.

2/17/04

- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 2

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:39 p.m. by Ms. Murphy, Mayor.

Invocation The invocation was given by Mr. Kramer, Community Assistance Coordinator.

Flag Salute The pledge of allegiance to the flag was led by Mrs. Stewart, Administrative Analyst II, Community Development Department.

ROLL CALL

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

Absent - - - Council Members None.

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

6:45 P.M. Hearing 1211 Weed Abatement Mayor Murphy stated that “this is the time and place for the hearing on the confirmation of the itemized written report of the Agricultural Commissioner/Director of Weights and Measures for the County of Los Angeles regarding the abatement of nuisances by the removal of weeds, rubbish, refuse, and dirt from certain real property pursuant to Resolution Number 26,651 of this Council.”

Notice Given The City Clerk was asked if any objections had been filed. She replied that no objections had been received.

Staff Report A staff report was received from the Public Works Department requesting Council approval of a resolution ordering the abatement of nuisances caused by weeds and debris on private properties listed in Resolution No. 26,651, authorizing an assessment for cost reimbursement to the County of Los Angeles, and giving notice for subsequent weed and debris abatement if required.

The report stated that the purpose of the annual weed

abatement program is to remove the nuisances created on various private properties by weeds, rubbish, refuse and brush. These nuisances include potential fire hazards and havens for rodents and vectors.

The report further stated that on February 10, 2004, the Council adopted Resolution No. 26,651 declaring weeds and debris on private properties a nuisance, which requires abatement. It was also indicated that written notice of the February 17, 2004 public hearing was mailed to each property owner declared in the resolution notifying them of the time and place for appeal.

The report noted that owners of the privately-owned properties may complete the abatement themselves or have the County of Los Angeles Weed Abatement Division clear their property. If the property is cleared by the County, the owner's property tax bill will be assessed for reimbursement for the cost incurred.

Finally, the report stated that this program has no fiscal impact to the City's General Fund or the Redevelopment Agency budget other than incidental administrative costs.

Hearing Closed	There being no response to the Mayor's invitation for oral comment, the hearing was declared closed.
Motion	It was moved by Mr. Vander Borcht and seconded by Mr. Golonski that "the following resolution be passed and adopted:"
1211 Weed Abatement	<u>RESOLUTION NO. 26,658:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE ABATEMENT OF NUISANCES IN THE CITY OF BURBANK, AS CONTEMPLATED BY COUNCIL RESOLUTION NO. 26,651.
Adopted	The resolution was adopted by the following vote: Ayes: Council Members Campbell, Golonski, Ramos, Vander Borcht and Murphy. Noes: Council Members None. Absent: Council Members None.
Reporting on	Mr. Barlow reported on the items considered by the City

2/17/04

Closed Session Council and the Redevelopment Agency during the Closed Session meetings.
406 Commissioner Brown reported on the Airport Authority meeting of February 17, 2004. He stated that the Authority discussed the Southern California Association of Governments' (SCAG) Airport passenger projections, and announced a meeting with SCAG in Los Angeles on February 18, 2004 at 1:00 p.m. He also informed the Council of recent decisions by United and Alaska Airlines' pilots to honor the Airport's voluntary curfew.
Airport Authority Meeting Report

The Council received the report.

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 Jean C. Donald, resident at 620 South Reese Place, requesting response to a letter she sent to the Council regarding a property under construction for four years; James Schad, inquiring as to why a four-fifths vote is not required when naming a public facility; Ron Vanderford, commenting on the litigation cost in the case of Karam v. City of Burbank; and, Mark Barton, expressing safety concerns.

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 Morris Goodstein and Ray Adams Property Based Business Improvement District (PBID) Board members, in support of the proposed wayfinding signage program; Ron Vanderford, commenting on the Southern California Association of Governments' projections, suggesting the voter registration list be updated to reduce election costs; Bob Etter, commenting on Mr. Barton's numerous telephone calls to Council Members; Howard Rothenbach, commenting on the proposed employee salary raises which may necessitate fee increases, in opposition raising the Transient Occupancy Tax and commenting on the inspection fee charged for

installing a washing machine in Burbank; Mark Barton, commenting on his presentation to the Airport Authority; and, Mike Nolan, commenting on the impact of pension costs, in opposition to the proposed compensation increases for Elected Officials and commenting on the proposed bond issue on the March 2004 ballot.

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

7:41 P.M. Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 7:59 p.m. with all members present.

Item Removed From Consent Calendar The item regarding the Approval of Fiscal Year 2003-04 Memoranda of Understanding with the Burbank City Employees Association and the Burbank Management Association and Compensation Packages for the Unrepresented Managers and Executives, including the Appointed Officials was removed from the consent calendar for the purpose of discussion.

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

1007-1
Revise and Re-title the Spec. of Administrative Analyst to Legislative Analyst

RESOLUTION NO. 26,659:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF ADMINISTRATIVE ANALYST II/BWP (CTC No. 0016) TO LEGISLATIVE ANALYST (CTC No. 0483).

1007-1
Revise and Re-title the Spec. of Warehouse Supervisor/BWP to Warehouse Manager/BWP

RESOLUTION NO. 26,660:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF WAREHOUSE SUPERVISOR/BWP (CTC No. 0979) TO WAREHOUSE MANAGER/BWP (CTC No. 0979).

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.

1011-1
1011-5
1010
Approve MOU's
w/ BCEA & BMA
and Comp.
Pkgs.
For Mid
Managers and
Appt. Officials

A report was received from the Management Services Department requesting that the Council adopt the Fiscal Year 2003-04 Memoranda of Understanding (MOU) for the Burbank Management Association (BMA) and Burbank City Employees Association (BCEA), and the compensation packages for the Unrepresented Managers and the Executives, including the Appointed Officials. The report stated that the City negotiated a 2.5 percent total compensation package and some language changes for both the BMA and the BCEA MOUs.

The report stated that the ten-city survey demonstrates that BCEA positions are under survey ranging from one percent to 17 percent. It also stated that the economic package for the BCEA comprised of the following: 1.5 percent cost of living adjustment (COLA) to all positions; 0.65 percent for survey adjustments with any excess funds deposited into a training fund; and, 0.35 percent (up to \$105 per month) to continue the out-of-pocket medical insurance premium supplement through June 30, 2004.

For BMA positions, the report indicated that the 12-city survey revealed that BMA positions are under survey ranging from one percent to 21 percent. It was noted that within the current economic constraints, it was not possible to bring the BMA positions to full-survey, and as such, it was agreed upon to bring each position to approximately 51 percent of the average market rate. It was stated that the economic proposal for the BMA also equaled a compensation package totaling 2.5 percent of General Fund dollars, as well as some minor non-General Fund equity adjustments.

With regard to the Unrepresented Management and Executives, the report indicated that staff proposed a comparable total compensation package of 2.5 percent, in addition to a proposal for an equity adjustment of 0.22 percent for the Police Captains and Police Chief to maintain the parity of these positions within the command structure of the Police Department. Also, the report stated that the Police Captains and Police Chief agreed to pay 3.5 percent, similar to

the Burbank Police Officers Association, to help defray the cost of their enhanced retirement. Staff also reported that the Universal Leave plan was proposed for the Unrepresented Managers, similar to the Executives' Universal Leave plan.

Mr. Vander Borght elaborated that the additional expense as a result of the MOU approvals was budgeted for and expressed support for the 2.5 percent compensation package increase.

Motion It was moved by Mr. Vander Borght and seconded by Mrs. Ramos that "the following resolutions be passed and adopted:"

1011-1 MOU with BCEA RESOLUTION NO. 26,661:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK CITY EMPLOYEES ASSOCIATION AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2003-2004.

1011-5 MOU with BMA RESOLUTION NO. 26,662:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK MANAGEMENT ASSOCIATION AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2003-2004.

1010 Executive Compensation Plan RESOLUTION NO. 26,663:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING RESOLUTION NO. 21,732 RELATING TO THE EXECUTIVE COMPENSATION PLAN AND SALARIES FOR DEPARTMENT MANAGERS AND AMENDING THE FISCAL YEAR BUDGET 2003-2004.

1010 Revise Salary Range for City Manager and City Attorney RESOLUTION NO. 26,664:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY RANGE FOR THE POSITION OF CITY MANAGER AND CITY ATTORNEY AND AMENDING THE FISCAL YEAR 2003-2004 BUDGET.

2/17/04

1010 RESOLUTION NO. 26,665:
Amend Comp. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Plan for Mid- AMENDING RESOLUTION NO. 22,795 RELATING TO THE
Management COMPENSATION PLAN AND TO SALARIES FOR
Employees UNREPRESENTED MID MANAGEMENT EMPLOYEES AND
 AMENDING THE FISCAL YEAR BUDGET FOR 2003-2004.

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.

1503 Mr. Fletcher, Assistant General Manager, Burbank Water and
Lake One Power, requested Council approval of a design-build method of
Catalytic project delivery for the Lake One Unit selective catalytic
Reduction and reduction (SCR) Performance Improvement and Carbon
Carbon Monoxide (CO) Catalyst Replacement Project. He explained
Monoxide that the Lake One Unit is a combustion turbine that has been
Replacement in service since 2002 with an SCR which reduces the Nitrogen
Project Oxide (NOx) and CO emissions generated so that the resulting
 exhaust conforms to the South Coast Air Quality Management
 District regulations.

Mr. Fletcher reported that with in six months of operating the Lake One Unit, staff noted some loss in performance of the SCR. In response, Entrix, an environmental engineering company, was assigned the task of reviewing the design of the SCR to determine if the degradation could be reduced. Entrix advised that after-market modifications to these SCRs had become available that would extend the usefulness of the catalysts. Also, he stated that the Lake One Unit CO catalyst, the second of the two catalysts within the SCR, is showing signs that it will soon require replacement. He added that staff recommended that the retrofit and replacement of the catalysts be done on a design-build basis by which the integration of design with the craftsmanship required to implement the design will assure the design will operate as intended. He added that the estimated cost of the SCR retrofit is \$550,000 and will extend the replacement of the CO and NOx catalysts by a factor of two-to-three, with a payback of 4.12 years and a 24.2 percent return rate.

Mr. Fletcher informed the Council that the most critical operational issue associated with this project will be the down time for the Lake One Unit. He reported that the outage

duration range estimated by potential vendors has been approximately one to two weeks. As the work is to be completed prior to summer loads, he stated that an outage of one to two weeks is not expected to be a problem.

Mr. Fletcher also reported that the recently-approved Fiscal Year 2003-04 mid-year budget adjustments included an appropriation for this project. He noted that the budget amendment for this line item was \$750,000, of which \$200,000 will be utilized for the replacement of the CO catalyst and \$550,000 for the SCR retrofit.

Motion It was moved by Mrs. Ramos, seconded by Mr. Vander Borcht and carried that "the Council approve use of the design-build method of project delivery for the LM6000 SCR Performance Improvement and CO Catalyst Upgrade Project."

1010 Mrs. Sarquiz, Management Services Director, presented the
201 compensation package for Elected Officials for Council
Salaries for consideration. She stated that the elected positions of City
Elected Officials City Clerk and City Treasurer are an integral part of the Executive
Team, and added that if the same methodology as used for
Executive compensation package is applied, the City Clerk and
City Treasurer positions would receive a 3.98 percent
compensation increase. She added that the proposed
adjustment would raise the fixed monthly salary for both
positions from \$7,284 to \$7,584. She also stated that since
the amount was included in the overall 2.5 percent
compensation package calculated for the Executives, there
would be no further fiscal impact to the General Fund. She
noted that as Elected Officials, the salaries of the City Clerk
and the City Treasurer can only be discussed and determined in
public session.

Similarly, Mrs. Sarquiz stated that the Council's compensation can only be discussed and determined in public session. She noted that the Council's compensation package was last considered in December 2000, at which time, the Council passed an ordinance that called for a special election for the purpose of asking the electorate to vote on Council compensation. She reported that the ordinance provided for a five percent increase for Fiscal Year (FY) 2000-01 and a 2.8 percent increase for FY 2001-02, based upon the Consumer Price Index (CPI). She stated that the voters approved both salary increases and subsequent to this ballot initiative, in November 2002, staff was asked to present a compensation option that would provide for annual Council salary adjustments based on the CPI. However, she noted that

voters considering the associated costs and suggested maintaining the Council's compensation at the current level.

Mr. Vander Borght, Mrs. Ramos and Ms. Murphy were in favor of the 2.5 percent increase to avoid creating a larger compensation disparity compared to other cities.

Ordinance
Introduced

It was moved by Mr. Vander Borght and seconded by Mrs. Ramos that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

201
1010
Compensation
of
Council
Members

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 2-202 OF THE BURBANK MUNICIPAL CODE RELATING TO COMPENSATION OF COUNCIL MEMBERS.

Carried

The motion carried by the following vote:

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

Noes: Council Members Campbell, Golonski.

Absent: Council Members None.

301-2
Employee
Memorial

A report was received from the City Manager's Office, regarding Mayor Murphy's request that staff agendize an item pertaining to establishing a memorial dedicated to City employees who have died in the line of duty. The report indicated that staff conducted preliminary research and determined that names of nine deceased employees would be submitted for permanent inclusion. However, since this matter could ultimately affect all facets of the City employee family, staff suggested that any further work on the matter be coordinated with departmental representatives and members of each bargaining group.

Following Council discussion, staff was directed to form a committee consisting of departmental representatives and members of each bargaining group to pursue the matter.

8:44 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency meeting was reconvened at this time.

2/17/04

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 were Howard Rothenbach, announcing an upcoming redevelopment conference in Long Beach and requesting specifics regarding the Closed Session item on the property located at 301 North San Fernando Boulevard; David Piroli, inquiring as to why the list of deceased employees was not distributed until the agenda item was presented and commenting on the inspection fee for washing machine installations; and, Mike Nolan, in opposition to compensation increases.

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 9:04 p.m.

Margarita Campos, City Clerk