

TUESDAY, MARCH 2, 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 4:38 p.m. by Mrs. Ramos, Vice Mayor.

CLOSED SESSION

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

Absent - - - - Council Member Murphy.

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

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

4:38 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 – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 1
- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 2
- c. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/ Susan Georgino.
Property: Approximately 2,875 square feet of the northwestern corner of 1200 Flower Street. Generally located on Flower Street near the border of the City of Glendale.
Parties with Whom City is Negotiating: Home Depot USA, Inc., 3800 West Chapman Avenue, 5th Floor, Orange, CA 92868.
Name of Contact Person: Jeff Nichols, Home Depot USA, Inc.
Terms Under Negotiation: Price and terms of payment of potential acquisition of easement, lease, fee grant or other transfer of property.

- 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 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 2004-05.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:46 p.m. by Mrs. Ramos, Vice Mayor.

Invocation The invocation was given by Reverend Ron Degges, Little White Chapel.

Flag Salute The pledge of allegiance to the flag was led by Mr. Barlow, City Attorney.

ROLL CALL

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

Absent - - - - Council Member Murphy.

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

301-1 Arbor Day Vice Mayor Ramos presented a proclamation in honor of Arbor Day to Shelley Davis and Linda Silva, representing the Burbank Civic Pride Committee.

301-1 Building Division's Student Design Competition Mrs. Georgino, Community Development Director, introduced the Building Division's Student Design Competition. Tom Lim and Donielle Larson, Plan Checkers, gave a brief explanation of the competition program and recognized the judges: Council Member Vander Borght; Margaret Taylor, Planning Board Vice Chair; and, Chiao Clerkin, Architect. Mayor Murphy presented Certificates of Recognition to the following John Burroughs High School Team members for most creative vision: Javier Badillo; David Lopez; Lily Ana Morejon; and, Dena Williams, Teacher. Mayor Murphy also presented certificates to the

following Burbank High School Team members for the best overall concept: Ryan Babroff; Kathy Cabrera; Luis Ceballos; Carrie Robles; Nadia Vielma; Kenny Lopez; Oscar Cabrera; and, Bob Shaw, Teacher.

301-1
United Way of
Greater Los
Angeles

Vice Mayor Ramos invited Frank J. Chimarusti, Vice President, San Fernando Valley United Way of Greater Los Angeles, to the podium to make a presentation. With the aid of a PowerPoint presentation, he described the programs and accomplishments of United Way and invited Jim Leahy, Board Member, who presented a plaque to Vice Mayor Ramos in appreciation for the City's support to United Way of Greater Los Angeles.

Reporting on
Closed Session

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

406
Airport
Authority
Meeting Report

Commissioner Wiggins reported on the Airport Authority meeting of March 1, 2004. He stated that the Authority: received a commendation letter from the Federal Aviation Administration (FAA) upon completing five years of inspections under FAA Rule 139 with no incidents; approved adjusting the valet parking rates by a 28-cent increase, bringing the cost up to \$3.50 per car; awarded a contract to Kruger International in the amount of \$485,000 to replace 1,250 passenger seats in the terminal; awarded a contract in the amount of \$47,000 for landscaping requirements pertaining to the Desmond Studio parking lot; and, approved the Mobile Source Emission Reduction Strategy for \$17,000 per on- and off-road vehicle to install emission reduction devices. He also informed the Council that the Authority will be pursuing a hybrid electric vehicle partnership and noted the Authority's continued disappointment with the Southern California Association of Governments' aviation forecast.

Mr. Golonski commended the Authority for their efforts with regard to addressing air quality issues. He also suggested that the Authority consider pursuing grants to make electric vehicles available for rent at the Airport.

Initial Open
Public Comment
Period of Oral

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

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Communications

Citizen Comment Appearing to comment were Howard Rothenbach, stating that EV Rental is located on North Hollywood Way and noting a missed opportunity to acquire natural gas vehicles; and, Mark Barton, commenting on a Police Department investigation.

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

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

Citizen Comment Appearing to comment were Cynthia Cavanaugh, Development Chair of the Animal Shelter Volunteers, and Molly Stretten, Vice President of the Animal Shelter Volunteers, in support of the proposed Animal Shelter capital improvements and offering financial assistance of funds raised by the Volunteers; Howard Rothenbach, commenting on hybrid electric vehicles, Southern California Association of Governments' projections and requesting a copy of the letter from United Airlines to Mayor Murphy; David Piroli, commenting on the proposed amendments to the Development and Community Services Building (DCSB) Project and emphasizing the need for a community room; and, Mike Nolan, commenting on the property at 1200 Flower Street, expressing support for the Council's consideration of appealing the approval of the Home Depot Project and commenting on the DCSB Project.

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

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

Minutes Approved 1502 EZ Transit Pass Program The minutes for the regular meeting of January 20, 2004 were approved as submitted.
RESOLUTION NO. 26,671:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE EZ TRANSIT PASS AGREEMENT REGARDING USAGE AND FARE REIMBURSEMENT BETWEEN THE LOS

ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY AND THE CITY OF BURBANK.

903 RESOLUTION NO. 26,672:
404 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Area C JPA for APPROVING THE JOINT POWERS AGREEMENT TO PROVIDE
Disaster FOR INTER-AGENCY COOPERATION DURING DISASTERS.
Preparedness (DISTRICT AREA MANAGEMENT C – LOS ANGELES COUNTY
 OPERATIONAL AREA).

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

1207 Captain Lowers requested Council approval of the proposed
Future Animal Animal Shelter (Shelter) capital improvements. She stated that
Shelter Capital the two major issues at the Shelter that needed to be
Projects addressed included: traffic problems, noting that entering and
 exiting the Shelter is difficult due to Empire Center traffic,
 narrow street design, Right-Turn-Only signage when exiting
 the parking lot and being able to enter the lot only from
 northbound Victory Place; and, inadequate cat facilities,
 stating that the Shelter currently has no observation room,
 maternity or feral cat area, poor design of the cat area
 facilitates the spread of disease, there is inadequate ventilation
 due to the open design of the existing kennels, and the space
 for incoming cats and kittens, especially during peak cat
 breeding cycles, is insufficient. She also noted a future
 possibility to relocate the Shelter to facilitate the relocation of
 an adjacent railroad bridge.

Captain Lowers discussed the efforts undertaken by staff and
volunteers to upgrade the Shelter, including: installing a new
heating and air conditioning unit; new roof; upgraded
electrical panels; Right-Turn-Only and No-Left-Turn signage to
ensure safety for traffic entering and exiting the Shelter;
establishing the Kitten Foster Program to limit exposure of
kittens to disease; painting and providing floor covers;
plumbing repairs; and, general repairs and maintenance. She
also informed the Council that staff was in the process of:
replacing existing food bowls with bowls that are mounted off
the kennel floor; acquiring disposable litter boxes; replacing
current disinfectant with a recommended stronger disinfectant;
and, installing hand sanitizers and dispensers in the cat rooms.

Vander Borcht.

Noes: Council Members None.

Absent: Council Member Murphy.

1207
PSA w/Leo A.
Daly for Design
Development for
the DCSB

Mr. Clifford, Capital Projects Manager, requested Council approval of an amendment to the Professional Services Agreement (PSA) with Leo A. Daly Company (Daly) to provide additional architectural design, specialty consultants, and engineering services to complete an abbreviated Design Development Phase for the Development and Community Services Building (DCSB) Project. He then responded to public comment with regard to the use of the community room; furniture purchase; change in atrium location to center of building; and, cost of the building.

Mr. Clifford reported that on October 14, 2003, the Council approved substituting the original DCSB Project Architect Widom Wein Cohen O'Leary Terasawa with Daly, based on the Oversight Committee's recommendation that Daly demonstrated in-house qualifications, project expertise and ability to successfully complete the DCSB Project that had previously been placed on hold in late January 2003. He added that the DCSB Project was officially resumed on November 6, 2003 with a kick-off meeting between Daly and the Oversight Committee to improve the current design without compromising quality and function, and to strategically pursue design systems and components that would net real cost benefits. He added that an ensuing feasibility study reduced gross building area by 4,082 gross square feet; reduced the floor usable area by 5,024 square feet, substantially maintained the building efficiency by adding a main stair case and a two-story height community room; consolidated and reduced storage areas; added program area by increasing the One Stop Permit Center counters and functional area, a business center for the Community Development Department and master control room for the Public Information Office; reduced private office and work stations to six configurations; and, simplified the structural grid.

Mr. Clifford added that the design services cost is \$241,975 and is comprised of \$134,795 for redesign efforts; and, \$107,180 for additional lighting, audio visual and data telecommunications design services. He also stated that the additional design services costs will be identified through completion of the abbreviated design efforts, review of pre-construction costs and completion of the revised project budget in comparison to the Development Design baseline budget. He added that in three months, a revised Project

budget, schedule and conceptual design elevation floor plans will be presented for Council approval and noted that a savings of approximately \$400,000 to \$800,000 would be realized.

Mr. Clifford requested that the design services cost be drawn from the Project Contingency Fund and that any savings realized be reverted back or drawn from the Project budget. He affirmed that the savings were expected to exceed the redesign costs.

Mr. Vander Borcht expressed support of approving the PSA amendment with the caveat that the Project budget be reduced by a specified amount to commit staff to the projected savings. He was not supportive of reverting the savings to the Project Contingency Fund nor replacing furniture that is five years old. He suggested that the Council reduce the Project budget by \$600,000.

Mr. Golonski inquired as to the need for an alternative Council Chamber with an insignificant increase in seating capacity. He was supportive of incorporating a community room but not of investing in broadcasting equipment for the room.

In response to a request by Mr. Campbell, Mr. McManus, Public Information Officer, stated that staff would recommend installing the broadcasting cabling for potential future uses. Mr. Campbell was supportive of the community room use and suggested reducing the Project cost by \$500,000. He also noted that there may be a need for new furniture due to changes in space configurations, but preferred addressing such issues in a better economic climate.

Mrs. Ramos supported the \$600,000 benchmark reduction and stated that when the project is presented to the Council in June 2004, the savings will have been realized. She added that if market conditions change, the Council would review the project and make the necessary adjustments.

Discussion ensued regarding the proposed budget reduction amount, and Mr. Golonski suggested directing staff to return with tangible reductions with an understanding that the Council's preference is to reduce the budget by \$600,000. He also suggested that any future program additions to the Project be presented for Council approval.

Motion

Following further deliberation on the matter, it was moved by Mr. Vander Borcht and seconded by Mr. Golonski that "the following resolution be passed and adopted with the caveat that the Project budget be reduced by \$600,000:"

1207 RESOLUTION NO. 26,674:
 PSA w/Leo A. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 Daly for Design APPROVING AMENDMENT NO. 1 TO AGREEMENT FOR
 Development for ARCHITECTURAL SERVICES BETWEEN THE CITY OF
 the DCSB BURBANK AND LEO A. DALY COMPANY.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

1503 Mr. Davis, General Manager, Burbank Water and Power (BWP),
 1504 presented BWP's monthly Water and Power Operating Report.
 BWP Monthly He stated that water quality continued to meet or exceed
 Operating State, Federal and the administrative standards set by the
 Report Council.

Mr. Davis reported that water operations were on budget; the target for electric reliability was being met; and, that the restore time for power outages has improved. He added that both retail and wholesale power costs are being managed and reserves are steadily being built.

Mr. Davis informed the Council that the Magnolia Power Project is continuing on schedule and budget; the new customer information and billing system replacement project will be completed ahead of schedule; and, additional fiber-optic connections for NBC Studios, Warner Bros., Quest and Accent Media were completed. He also noted that the deregulation process for gas distribution was put on hold and commended the Council for their support regarding the matter.

The Council noted and filed the report.

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

Citizen Appearing to comment were Dennis McCarthy, commercial real
 Comment estate broker responsible for the proposed Home Depot in
 Burbank, inquiring as to the Council's concern regarding the
 project; David Piroli, expressing appreciation for the
 deliberation concerning the community room in the

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Development and Community Services Building and commenting on the cost of chairs in the Chamber; and, Mike Nolan, commenting on the square footage of the property at the northwestern corner of 1200 Flower Street, inquiring how long the City contemplates use of the City Hall Annex building and commenting on the purchase of furniture.

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 9:34 p.m.

Margarita Campos, City Clerk