

TUESDAY, JUNE 15, 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 4:06 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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

4:06 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 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, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.
Summary of Labor Issues to be Negotiated: Current Contracts and Retirement Issues.
- b. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/ Susan Georgino.
Property: Southwest corner of Hollywood Way, the Airport access road and Thornton Avenue.
Parties with Whom City is Negotiating: Zelman Industrial Partners Inc.
Name of Contact Person: Michael Bates
Terms Under Negotiation: Easement Acquisition.
- 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

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

5:42 P.M.
Undergrounding
Utility Overhead
Lines
Study Session

Mr. Simay, Assistant General Manager, Burbank Water and Power, informed the Council that Burbank has approximately 100 circuit miles of underground lines and 275 circuit miles of overhead lines. He added that 173 of the overhead lines reside amongst rear property lines and alleys, with the remaining 102 line miles on streets and thoroughfares. He stated that approximately 12 street miles are considered view corridors, including: Olive Avenue; Burbank High School; Burroughs High School; Hollywood Way; Airport Train Station; and, Victory Boulevard. He also noted that the City has eight street miles of overhead street lighting with power lines in the alleys.

Mr. Simay then discussed the undergrounding process and noted that staff coordinates with other departments to concurrently complete undergrounding services prior to final street resurfacing which could reduce undergrounding costs by 30 or 40 percent. He noted the challenge of getting foreign utilities to underground their services at the same time, short of which communication and foreign power lines remain after the City's power lines are undergrounded.

Mr. Simay discussed the undergrounding policies of other utilities as well as the percentage of electric revenues that have been set aside to accelerate the process. He concluded with staff's recommendation that public forums be held to assess public support for the project and that a subcommittee be established to: revise the undergrounding policy as it relates to establishing an undergrounding utility district; recommend a policy on customer-related costs associated with converting services from overhead to underground service; and, review the requirement that new customers install undergrounding conduit at property lines to facilitate future undergrounding efforts, noting that this is already a requirement for major multi-family developments. He informed the Council that setting aside utility revenues at a two percent rate would underground approximately 12 street miles in 10 to 20 years.

It was the Council's consensus that staff pursue establishing an undergrounding subcommittee, an undergrounding district and increase the funding amount from a quarter percent to a half percent of retail electric revenues. In addition, the Council would review the utility's retained earnings on an annual basis and consider establishing an undergrounding fund with one-time appropriations similar to the process established for the

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alley and sidewalk improvement projects. The Council also expressed support for prioritizing the target view corridors and holding public meetings for community input.

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 Mrs. Ramos, Mayor.

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

Flag Salute The pledge of allegiance to the flag was led by Jordan Barrett and Bryce Burton, Burbank Tarheels Basketball Team members.

ROLL CALL

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

Absent - - - - Council Members None.

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

301-1 Library Essay Contest Winners Ms. Cohen, Library Services Director, presented the following winners of the Library Essay Contest entitled "What the Library Means to Me". She noted that the essays will be sent to Sacramento in support of the City's State grant application for a new Central Library and that the winners will each receive a check in the amount of \$200. Mayor Ramos presented Certificates of Recognition to the following winners: Analisa Swan, Adult Category; Sherry Aghakhani, High School Category; Janine Rojo, Junior High School Category; and, Taylor MacDonald, Elementary Category, who read his essay.

301-1 Boys 8th Grade Basketball Team Recognition Mayor Ramos presented Certificates of Recognition to the following Burbank Tarheels 8th and 9th Grade Basketball Team members for their athletic achievements and fine example of sportsmanship set on behalf of Burbank, their team and families: Jordan Barrett; Matt Bertole; Mitchell Burns; Bryce Burton; Chase Dontanville; Corey Ford; Cam Hunter; Anthony Rodriguez; Jose Serrano, Jr.; and, Varag Zakarian. Mrs Ramos also presented certificates to the following coaches: Mike Graceffo; Ken Burns; and, Wayne Tipton.

301-1 Torchiere Ms. Forrest, Senior Conservation Advisor, Burbank Water and Power, recognized the participation of Burbank and John

Exchange Program	Burroughs High School students in the Torchieri Exchange Program which exchanges halogen torchiere lamps for fire-safe energy-efficient fluorescent lamps. Mayor Ramos commended the students and presented each high school with a check in the amount of \$4,000. The checks were received by: Dean Immel, Band Director, and Luis Vega, student representative, Burbank High School; and, Keith Nube, Football Coach, and Mark Clark, student representative, John Burroughs High School.
Reporting on Council Liaison Committees	Mayor Ramos reported on the Land Use Subcommittee meeting she attended with Mr. Campbell.
6:59 P.M. Hearing 1701 ZTA Regarding Non-Conforming Structures	Mayor Ramos stated that "this is the time and place for the hearing on amending Chapter 31 of the Burbank Municipal Code relating to enlargements and restorations of non-conforming structures, exceptions for side yard setbacks."
Notice Given	The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and noted that the City Clerk's Office received two pieces of correspondence from Cynthia Cavanaugh and Phil and Jeanie Hamilton in support of the Zone Text Amendment.
Staff Report	<p>Mr. Bowler, Assistant Planner, Community Development Department, requested that the Council consider a Zone Text Amendment to delete or amend provisions in the Zoning Code that allow non-conforming residential structures to be added to, expanded or substantially rebuilt at existing substandard setback lines. He noted that in recent years, the Council has received numerous complaints regarding the height, size and mass of several new and remodeled single-family structures. He added that on March 23, 2004, the Council directed staff to undertake a review of the current single-family development standards and to expedite changes to Code provisions dealing with substandard side yard setbacks.</p> <p>Mr. Bowler stated that the Code currently allows for single-family residences built at non-conforming setbacks to be expanded along the existing substandard setback line. He noted that the proposed Zone Text Amendment will require that henceforth, all enlargements and additions to non-conforming structures must meet current Code standards. He added that the proposed amendment would also clarify standards for when a structure that is partially destroyed or</p>

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demolished may be rebuilt to its previous configuration, and when it must be rebuilt to current Code standards. Finally, he stated that the proposed amendment would provide a method for allowing the City Planner or Building Official to allow minor exceptions to the side yard setback standards for single-family residences in situations where rigidly enforcing current zoning standards would: cause health or safety problems; be structurally or architecturally unviable; or, cause unreasonable financial hardship. He noted that the amended section provides specific guidance to the officials for allowing such exceptions, and emphasizes that such exceptions should be allowed only to the minimum extent necessary to alleviate the situation.

Citizen
Comment

Appearing to comment were Robert Peren, stating that he is in the process of remodeling his home and requesting an exception for his project; Mike Nolan, citing his exception to specific language in the proposed ordinance which he believes is not adequately defined; and, Galen Bieker, in opposition to the ordinance and requesting that the Council conduct further study before making a decision.

Hearing
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Staff response

In response to public comment, Mr. Bowler stated that under the current regulations, an individual proposing to expand a residence with a substandard setback has the right to do so at a substandard setback line and that the proposed changes would require that the expansion meet current Code. He added that the minor exceptions rule would only allow for situations where it is not practical to enforce the full effect of the new Code provisions but would not require any less setback than that currently allowed. He also gave further clarification on setback requirements for second floor levels and noted that staff is undertaking an on-going effort to solicit community input on revised R-1 development standards. He announced that the next community meeting is scheduled for July 14, 2004 at 6:30 p.m. at the Buena Vista Library.

Council
deliberations

Mr. Vander Borcht noted the urgency of the matter due to the economy, current housing market and low interest rates. He stated that substandard setbacks result in building homes which are extremely large and impact the neighborhoods. He recognized that there are certain lots that do not conform to the City's standards and stated that such homeowners would

be entitled to seeking variances. He expressed support for allowing staff the discretion to grant minor deviations and suggested that staff consider an administrative procedure established by the City of Los Angeles which requires the applicant to obtain signatures of the adjoining property owners indicating that they are aware of the applicant's request. He also noted that this was the first step necessary to halt the indiscriminate construction of large two-story homes.

Ms. Murphy requested clarification on non-conforming setbacks with regard to rebuilding destroyed property, Mr. Bowler responded.

Mr. Golonski recognized the concerns with mansionization and noted that while he believed staff was moving in the right direction with regard to height restrictions and lot coverage, he was concerned with costs associated with the requirement of a five-foot second story setback in an instance where the property has a non-conforming four-foot side yard setback. He stated that the ordinance was too restrictive and expressed support for more flexibility being given to property owners, noting that massive structures are not the result of narrowness of the side yards but excessive lot coverage. He suggested that the minimum setback standard be three feet, with exceptions to particular lots such as corner lots, and noted that shrinking the permitted lot coverage in cases with substandard side yard setbacks would limit the size of homes being built.

Mr. Vander Borcht noted that a five-foot setback requirement is an industry standard and stated that it is impossible to mitigate a two-story wall no matter how well built or decorated. He expressed support for a six-foot setback requirement for second floor levels.

Ms. Murphy agreed with Mr. Vander Borcht and expressed support for greater setback requirements for second floor levels to meet the privacy expectation in R-1 neighborhoods.

Mr. Campbell also agreed with Mr. Vander Borcht and noted the need to preserve R-1 neighborhoods by not allowing too much growth and density. He expressed support for staff's recommendation to grant minor exceptions and requested that projects submitted for plan check prior to the second reading of the ordinance be exempt.

Mr. Golonski further argued for allowing more flexibility on the setback requirements and noted the prohibitive cost for homeowners who may want to add a second story to their property. He noted that what was being proposed would not

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solve the mansionization issue and suggested more flexibility with exceptions in order to prevent excessive lot coverage. He noted that a property with five-foot setbacks could still be out of scale compared to the lot.

Mrs. Ramos agreed with Mr. Golonski and noted that whereas this ordinance is a step in dealing with mansionization, she did not believe it was the right first step to take. She added that owners of smaller lots will be impacted and that side yard setbacks alone do not address the mansionization issue. She noted that front and back setbacks contribute to the mansionization problem.

Ms. Murphy noted that it would not be consistent to have varying setback requirements for multi-family and single-family properties.

Ordinance
Introduced

It was moved by Ms. Murphy, seconded by Mr. Campbell and carried with Mr. Golonski and Mrs. Ramos voting no 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:

1701
ZTA Regarding
Non-Conforming
Structures

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO ENLARGEMENTS AND RESTORATIONS OF NON-CONFORMING STRUCTURES, EXCEPTIONS FOR SIDE YARD SETBACKS.

7:55 P.M.
Hearing
1701
ZTA No. 2004-
75 – Downtown
Restaurants

Mayor Ramos stated that "this is the time and place for the hearing on amending Chapter 31 of the Burbank Municipal Code relating to the central business district downtown parking area and permitting downtown restaurant uses with an Administrative Use Permit."

Notice
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and noted that the City Clerk's Office received a telephone call from Mr. Paul Ehre, owner of Skyblue Pink, and an email from Chipper Pastron, co-owner of Market City Caffe, in support of the proposed ordinance.

Staff

Mrs. Forbes, Principal Planner, Community Development

Report

Department, requested that the Council consider a proposed Zone Text Amendment regarding the requirement for an Administrative Use Permit (AUP) for new restaurants in the Downtown area. She explained that Downtown Burbank is an eight-block area bounded by Angeleno Avenue to the south, First Street to the west, Magnolia Boulevard to the north and Third Street to the east.

Mrs. Forbes informed the Council that in the early 1990s, the City took several economic development measures to improve the local economy after the exodus of Lockheed Corporation, including: direct and indirect financial incentives; a development impact fee credit pool; streamlining the Development Review process; and, the creation of the Downtown Parking District (District) in 1992. She noted the purpose of the District was to stimulate activity in the Downtown and attract tenants who were having difficulty locating in this area due to parking constraints. She added that under the District, a tenant could occupy any existing space without providing additional parking, provided the use was permitted. She noted that staff has determined that there is a need to evaluate the assumptions of the District and to consider constraints on the types of uses taking advantage of the parking. She explained that in order to create a balance and make shared parking feasible, there needs to be a mix of uses that are complimentary to the restaurants and theatres. She added that the AUP process would allow the City to carefully consider new restaurants in order to promote a diverse and vibrant downtown economy and to determine if the parking demand for the restaurant would impact and/or contribute to the shared parking concept of the District. She clarified that the proposed ordinance would allow new restaurants to occupy a space of a previously-existing restaurant without the AUP requirement if the new restaurant provided the same or improved type of service. She also noted that staff is proposing a noticing requirement for property owners and tenants in the Downtown area and mentioned that the ordinance provides for an appeal process to the Planning Board and Council.

Mrs. Forbes acknowledged that although the AUP process may not be the best approach to accomplish the goals, it will provide an additional level of scrutiny in situations when retail space is being converted to restaurant use which may affect the balance of uses that are important to the shared parking concept in the Downtown. She noted that the best way to evaluate the shared parking agreement and quality tenant type is to revisit the shared parking assumptions, conduct a new parking study and create new development standards based on the findings. She noted that the City is undertaking a new

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parking study that will specifically address peak parking demands and will be presented to the Downtown Parking Management Committee accompanied by a parking management plan. She noted that as the study and plan are still pending final review and approval, and as an additional analysis may take several months, it is necessary to establish a review process considering the rapid changes in the Downtown.

Mrs. Forbes stated that the ordinance will not apply to existing restaurants or to restaurants taking the place of a previously-existing restaurant; however, an evaluation will be necessary to determine that the new restaurant falls into a similar category as the previous restaurant or will be considered an improvement, otherwise the restaurant will be subject to the AUP process for careful analysis. She added that the process would not apply to Downtown businesses that have Planned Developments.

Mrs. Forbes also noted that the Planning Board voted unanimously to recommend approval of the ordinance at their special meeting of May 17, 2004 and suggested that staff add a sunset clause to ensure that the AUP requirement is lifted for uses that should not require additional discretion once new standards are developed. She added that the Downtown Burbank Partnership, Inc. (Property-based Business Improvement District) Board of Directors also voted 9-0 to recommend approval of the ordinance at their special meeting of June 2, 2004.

Citizen
Comment

Appearing to comment were Mike Nolan and David Piroli, in opposition to the ordinance; and, Mark Barton, on parking availability.

Staff response

In response to public comment, Mrs. Forbes clarified that the ordinance is not proposing to limit food types but types of restaurants as defined by the Institute of Transportation Engineers, such as family type, high turn-over, sit down, etc. She also noted that the ordinance focuses on maintaining a balanced mix of uses since a concentration of either retail or restaurant uses will have an impact on parking availability.

Hearing
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Council
deliberation

Mr. Golonski disagreed with public comment that the Council should let supply and demand rule and noted that in such an environment, each restaurant would be required to provide

adequate parking for its patrons. He added that as a result, there would be no restaurants in the Downtown since there is no availability of such parking. He noted that the City undertook building public parking structures and implementing the shared parking concept which has been successful for the restaurants and expressed support for the ordinance as a tool to ensure that public parking is not unfairly taken advantage of.

Ms. Murphy agreed with Mr. Golonski and noted that there is a difference in the types of restaurants and since parking is an issue in the Downtown area she would not like to exacerbate the situation.

Mr. Vander Borcht noted that the Downtown area is a continuous work in progress and stated that the free market environment on its own would not have provided the development in the area today. He stated that the ordinance will provide staff with another tool to control the balance of uses.

Mr. Campbell noted that the ordinance is an effort to maintain momentum in the Downtown and ensure that there is an infusion of energy. He also stated that the Planning Board was prudent to require a sunset clause in the proposed ordinance.

Mrs. Ramos noted that specific uses in the Downtown have specific impacts and in particular parking, which is of great concern to the City. She noted that the ordinance moves the City in the right direction of parking management.

Ordinance
Introduced

It was moved by Ms. Murphy, seconded by Mr. Vander Borcht and carried 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:

1701
ZTA No. 2004-
75 – Downtown
Restaurants

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTIONS TO CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO THE CENTRAL BUSINESS DISTRICT DOWNTOWN PARKING AREA AND PERMITTING DOWNTOWN RESTAURANT USES WITH AN ADMINISTRATIVE USE PERMIT.

8:22 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 8:36 p.m. with all members present.

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Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council and the Redevelopment Agency during the Closed Session meetings and added that Closed Session was continued to Wednesday, June 16, 2004 at 5:00 p.m. in the City Hall Basement/Lunchroom.
Initial Open Public Comment Period of Oral Communications	Mrs. Ramos called for speakers for the initial open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment were Paul Carlin, on the meaning of Flag Day and flag protocol; Mark Barton, clarifying comments made in a letter he submitted to the Council; Eden Rosen, on traffic at the intersection of Victory Boulevard and Clark Street; and, Howard Rothenbach, commending the Public Works Department for the excellent project on Kenneth Road, commenting on the Home Depot day laborer center and inquiring whether the operation of the day laborer center will detrimentally affect grant funds that the City receives.
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 Mark Barton, on the Open House sign ordinance; and, Howard Rothenbach, who was interrupted for not addressing an agenda item.
Staff Response	Members of the Council and staff responded to questions raised.
8:52 P.M. Joint Mtg. w/ Redev. Agency 1208 AHA w/BHC for 2321 N. Fairview and	Mr. Solomon, Housing Development Manager, Community Development Department, requested that the Redevelopment Agency (Agency) Board approve an Affordable Housing Agreement (Agreement) with the Burbank Housing Corporation (BHC) to finance the BHC's acquisition and rehabilitation of rental units at 2321 North Fairview Street and 2321-2323 North Catalina Street (Properties) in the Golden State Focus

2321-2323 N.
Catalina

Neighborhood as a mixed-income, affordable housing project inclusive of an activity center; and, City Council approval of a Relocation Plan for the Properties. He noted that the acquisition and rehabilitation of the Properties is part of the Agency's overall strategy to rehabilitate deteriorated properties, operate them as mixed-income properties with an affordability component and to develop an activity center to provide services that will help integrate tenants into the community.

Mr. Solomon informed the Agency Board that since the inception of the BHC in 1997, 187 affordable rental units have been developed in Burbank's focused neighborhoods. He noted that the project would double BHC's holdings in the Golden State Focus Neighborhood and provide an opportunity for the introduction of an activity center. He explained that the Properties are located in an R-4 medium density residential neighborhood and are comprised of three parcels at two separate sites. He stated that combined the two locations encompass 18 residential units; 14 one-bedroom units (two of which are studio units); and, four two-bedroom units.

Mr. Solomon discussed that under the terms of the Agreement, the Agency would lend the BHC \$3.143 million in Low and Moderate-Income Housing Funds to: 1) pay for the cost of acquisition; 2) off-set all estimated direct costs associated with building rehabilitation and site work; and, 3) fund indirect costs for closing, permits and fees. In addition, he stated that the Agency is to budget an estimated \$105,000 for relocation costs incurred in the displacement of four households. He added that the Agreement also specifies that: work will include the demolition of three units at 2321-2323 North Catalina Street which will include a duplex comprised of two studio units and a small one-bedroom detached single-family dwelling at the rear of the site; the remaining building is a single-family unit which the BHC is proposing to convert into an activity center by adding approximately 400 square feet and reconfiguring the internal layout; and, rehabilitation of the remaining 14 units will entail treatment of environmental contaminants such as asbestos and lead based paint, remodeling of kitchens and bathrooms, introduction of new exterior treatments such as doors and windows, repainting, upgrading electrical and other systems, site work and landscaping. He added that structured as a mixed-income project, the BHC is to rent all units at an affordable rate to very low, low and moderate-income households and remain affordable in perpetuity.

Mr. Solomon stated that in a separate action, the City Council is requested to approve a Relocation Plan to allow for the

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conversion of a renter-occupied single-family unit into a new activity center and for the demolition of three other units. He added that on May 11, 2004, the City Council approved a Draft Relocation Plan which was made available for a 30-day public review period before initiating any relocation activities, including issuance of 90-day notices to vacate. He noted that no public comment was received and staff requested that the Council approve the Relocation Plan following the end of the 30-day public review period.

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

Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2107 Amending the Fiscal Year 2003-2004 Budget to Appropriate Funds from the 20% Set-Aside Affordable Housing Account was adopted.

Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2108 Approving an Affordable Housing Agreement between the Agency and the Burbank Housing Corporation (2321 North Fairview Street and 2321-2323 North Catalina Street) was adopted.

1208 Approve Relocation Plan for Relocation of Residents (2321 N. Fairview and 2321-2323 N. Catalina) RESOLUTION NO. 26,731:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A RELOCATION PLAN FOR THE RELOCATION OF RESIDENTS AND OCCUPANTS DISPLACED AT 2321 NORTH FAIRVIEW STREET AND 2321-2323 NORTH CATALINA STREET.

Adopted The resolutions were adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

9:12 P.M. Recess The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 9:13 p.m. with all members present.

- Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "the following items on the consent calendar be approved as recommended."
- Minutes Approved The minutes for the regular meetings of April 27, May 3 and May 4, 2004, the adjourned meeting of May 8, 2004, and the regular meetings of May 11 and May 18, 2004 were approved as submitted.
- 1006-1 Review of Conflict of Interest Code A report was received from the City Clerk's Office requesting that the Council direct staff to review the City's Conflict of Interest Code. The report indicated that Government Code Section 87306.5 requires that in each even-numbered year, the Council, as the Code reviewing body for the City Departments, review the Conflict of Interest Code, and if necessary, amend the Code by October 1 of the same year. It was further stated that the City has adopted by reference the standard Conflict of Interest Code as promulgated by the Fair Political Practices Commission as its Conflict of Interest Code and that employees who must comply with the provisions of the Conflict of Interest Code are designated by resolution.
- The Council directed staff to review the City's Conflict of Interest Code and classifications of positions subject to reporting requirements and return with a resolution for Council adoption prior to October 1, 2004.
- 1204-1 Final Tract Map No. 53810 RESOLUTION NO. 26,732:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 53810 (565 East San Jose Avenue).
- 1011-4 Approve MOU with IBEW RESOLUTION NO. 26,733:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW), AND AUTHORIZING THE FINANCIAL SERVICES DIRECTOR TO MAKE THE NECESSARY REVISIONS TO THE FISCAL YEAR 2004-2005 BUDGET ONCE IT HAS BEEN ADOPTED.
- Adopted The consent calendar was adopted by the following vote:
- Ayes: Council Members Campbell, Golonski, Murphy, Vander Borgh and Ramos.
- Noes: Council Members None.

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Absent: Council Members None.

202-9
Senior Citizen
Board Vacancy
Appointment

Mrs. Campos, City Clerk, requested that the Council consider making one appointment to an unexpired term on the Senior Citizen Board ending June 1, 2006. She explained that the Senior Citizen Board was established by Burbank Municipal Code Section 2-415 and consists of seven members who are appointed to four-year terms.

Mrs. Campos informed the Council that currently, there is one vacancy of an unexpired term ending June 1, 2006. She noted that on May 21, 2004, the City Clerk's Office began advertising and accepting applications for the unexpired term. She added that the vacancy was advertised in the local newspapers, posted on the City Website and notices were run on the Channel 6 scroll in order to obtain qualified candidates. She stated that as of the established deadline of Friday, June 4, 2004 at 5:00 p.m., six applications had been received from: Donna S. Worley; Libby Nardo; William B. Smith; John Milton Wolcott; Douglas Cartwright Halter; and, Jenice D. McGlynn. She added that staff also included two applications from Francine Lockett and Robert C. Jones which had been previously submitted for the vacancies created by the June 1, 2004 term expirations. She explained that these applications are kept for a period of one year for consideration for any vacancies that may occur.

Mrs. Campos noted that all Board, Commission and Committee members serve without compensation from the City and that no person shall serve on more than one Board, Commission, or Committee (established by the Burbank Municipal Code) at the same time. In addition, she stated that any person appointed to be a member of a Board, Commission or Committee must be an elector of, and actually reside in, the City of Burbank.

Following a vote of the Council, Libby Nardo was appointed to fill the unexpired term on the Senior Citizen Board ending June 1, 2006.

Ordinance
Submitted

It was moved by Ms. Murphy and seconded by Mr. Campbell that "Ordinance no. 3641 be read for the second time by title only and be passed and adopted:" The title to the following ordinance was read:

604

ORDINANCE NO. 3641:

Open House Signs on Public Right-of-Way by Permit AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 20 OF THE BURBANK MUNICIPAL CODE TO AUTHORIZE TEMPORARY "OPEN HOUSE" REAL ESTATE SIGNS TO BE PLACED IN THE PUBLIC RIGHT-OF-WAY BY PERMIT.

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

Recuse: Council Member Golonski.

Ordinance Submitted It was moved by Ms. Murphy and seconded by Mr. Campbell that "Ordinance no. 3642 be read for the second time by title only and be passed and adopted:" The title to the following ordinance was read:

206 Noise from Radios and Other Devices ORDINANCE NO. 3642:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ADDING SECTION 21-213.5 OF THE BURBANK MUNICIPAL CODE RELATING TO NOISE FROM RADIOS AND OTHER DEVICES FOR PRODUCING OR REPRODUCING SOUND.

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

9:18 P.M. Reconvene Redev. Agency Meeting The Redevelopment Agency meeting was reconvened at this time.

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

Adjournment There being no further business to come before the Council,

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the meeting was adjourned at 9:18 p.m. to Wednesday, June 16, 2004 at 5:00 p.m. for a continued Closed Session.

Margarita Campos, City Clerk

APPROVED JULY 20, 2004

Mayor of the Council
of the City of Burbank