

TUESDAY, AUGUST 24, 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 4:10 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Murphy, and Ramos.
Absent - - - - Council Members Campbell and Vander Borght.
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Wilson, Deputy City Clerk.

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

4:10 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 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

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:43 p.m. by Mrs. Ramos, Mayor.

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

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Flag Salute The pledge of allegiance to the flag was led by Mr. Flad, Assistant City Manager.

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
West Nile Virus
Presentation Stephanie Miladin, representing the Greater Los Angeles County Vector Control District, and Dr. Ojulfstad, representing the Los Angeles County Department of Health Services, made a presentation on the West Nile Virus epidemic and discussed the efforts being undertaken to control mosquito breeding. They also outlined several preventive measures that could be taken.

Reporting on
Council Liaison
Committees Mr. Vander Borgh commended the Chandler Bikeway improvements and reported on the Environmental Oversight Committee meeting he attended with Mr. Campbell. He also reported on the Debell Clubhouse Subcommittee meeting he attended with Mrs. Ramos.

Mr. Campbell reported on a meeting with Mr. Marrero, Airport Authority Executive Director, and Airport Commissioner Streater, regarding the purchase of diesel buses by the Airport.

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

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 C.L. Stack, on renaming Bob Hope Airport; Anja B. Rohlmann, stating that fence heights should be relative to the sizes of homes; Ralph Gee, complimenting the City on the purchase of quieter refuse trucks and requesting that the volume of the microphones in the Council Chamber be raised; Carolyn Berlin, on the growing membership of the Burbank_Voters_and_Tax_Payers group and stating that several citizens are intimidated by speaking before the Council; Rose Prouser, on the sale of the B-6 property;

Mark Stebbeds, requesting that the proposed Airport Development Agreement be placed on the ballot; Wayne Jackson, on the proposed Airport Development Agreement; Howard Rothenbach, on the enforcement of the Real Estate Sign Ordinance and on the cost of the AMC parking project; Michael Hastings, Chair of Burbank Priority in Education Foundation, announcing an upcoming fundraising concert; Mark Barton, on the downtown wayfinding signage program; Ron Vanderford, on the inception of the Chandler Bikeway and in opposition to the proposed Airport Development Agreement; Dink O'Neal, on tenant and traffic issues in Downtown Burbank; Michael Bergfeld, stating that the City's counsel on Airport matters is not licensed to practice law in the State of California; Eden Rosen, on noise City-wide and on debris in an empty lot on Victory Boulevard; and, Theresa Karam, on a condominium development in North Hollywood.

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 C.L. Stack, noting Bob Hope Airport is owned by the cities of Burbank, Glendale and Pasadena; Carolyn Berlin, on the Airport's Notice of Intent to Adopt a Negative Declaration; Phil Berlin, on the importance of a curfew at Bob Hope Airport, the Airport Trust documents and requesting that the proposed Airport Development Agreement be placed on the ballot; Mark Barton, on the proposed Airport Development Agreement and on fence criteria; Anja Rohlmann, inquiring as to the effect of the Council's decisions on residents who currently have fences on their property; Mark Stebbeds, on the Airport's Notice of Intent to Adopt a Negative Declaration; Rose Prouser, noting the difference in interests between the City and the Airport Authority; Michael Bergfeld, on the law pertaining to the practice of law in the State of California; Ron Vanderford, on flaws in the Framework For Settlement and the subsequent legal documents, and in opposition to the proposed Airport Development Agreement; Donna Stebbeds, requesting an full Environmental Impact Report on the proposed Airport Development Agreement; Margie Gee, on the lateness of the availability of the Notice of Intent to Adopt a Negative Declaration document and requesting additional time for review and comment; David Piroli, inquiring as to the

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availability of the proposed Airport Development Agreement and commenting on the Notice of Default and acquisition of property by the Airport Authority; Theresa Karam, on Airport issues and the Notice of Intent to Adopt a Negative Declaration; Dink O'Neal, on the criteria for the proposed Airport Development Agreement and sale of the B-6 property; Howard Rothenbach, on the appraised value of the A-1 North property and Measure B criteria; and, Mike Nolan, inquiring as to the duties of the Trustee and requesting that the B-6 property be sold.

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

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

Minutes Approved The minutes for the adjourned meeting of July 21, 2004 and the regular meeting of July 27, 2004 were approved as submitted.

1007-1
1009-1
Abolishing
Certain Job
Titles and Spec. RESOLUTION NO. 26,775:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE CLASSIFICATION, PAY PLAN AND CONFLICT OF INTEREST CODE BY APPROVING THE ABOLISHMENT OF CERTAIN JOB TITLES AND SPECIFICATIONS.

Adopted The consent calendar was adopted by the following vote:

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

9:19 P.M.
Recess The Council recessed at this time. The meeting reconvened at 9:33 with all members present.

406
Dev. Agmt.
Between the
Airport
Authority
And City Mr. Kirsch, Special Airport Counsel, presented an update on the Draft Initial Study of the proposed Development Agreement between the City and Airport Authority. He explained that the Initial Study was conducted pursuant to the California Environmental Quality Act (CEQA) guidelines which require that the study and public review period be completed

prior to the Authority submitting the Development Agreement proposal to the City. He noted that the Authority is anticipating completing the CEQA process and submitting the application by early October 2004, and reiterated that the City has not yet reached any agreements with the Authority. He also emphasized that there is currently no Draft Development Agreement available for public review.

Mr. Kirsch further explained that an initial study is required by CEQA to determine whether it is necessary to prepare a comprehensive Environmental Impact Report. He added that if an initial study finds that there are no significant impacts from a proposed project, a Negative Declaration is issued. He also stated that under CEQA, the Authority is the lead agency, responsible for preparing the document and hiring consultants. He added that the City is the responsible agency which reviews and comments on the document. He also emphasized the importance of public input and participation.

Mr. Kirsch outlined the projects proposed by the Authority as part of the Development Agreement, including: purchasing the A-1 North property and reconfiguring the parking to valet and self parking facilities; possible construction of two parking structures for valet and rental cars; relocating the rental car facilities from the terminal to a new location at the corner of Empire Avenue and Hollywood Way; realigning the Airport Loop Road; relocating Lot A onto the adjacent property; completion of Taxiway D construction to the entire length of Runway 8/26; and, consolidating all employee parking to a location north of the Air Traffic Control Tower alongside Runway 15/33. He then discussed in detail the proposed parking reallocation program and other components of the proposal, including: revising the City's height ordinance; revising the City's sound insulation ordinance; realignment of the Hollywood Way/Thornton Avenue/Airport intersection; vesting of the Authority's existing zoning rights; a commitment by the Authority to work cooperatively with the City to achieve nighttime noise relief; and, prohibition on certain projects that the Authority would otherwise be allowed to build under current zoning or entitlements. He explained that such projects include: no new or relocated passenger terminal; no expansion of the existing terminal unless required by the Transportation Security Administration; no additional air carrier aircraft parking positions; no new remote air carrier aircraft parking positions; no increase in the general aviation area; and, no new buildings within the building restriction line adjacent to the runways except in the quadrant outside the terminal where the existing parking structure is located. He also discussed the timeline of subsequent steps prior to an Authority public hearing on the Negative Declaration on

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October 4, 2004.

Dan Wormhoudt, Vice President and Chief Operating Officer, Environmental Science Associates, discussed the environmental impacts studied in the Initial Study as well as the findings.

Following Council deliberation, the report was noted and filed.

1703
Residential
Fence
Requirements

Mrs. Forbes, Principal Planner, Community Development Department, discussed the City's current situation relative to fence and hedge Burbank Municipal Code (Code) violations and related issues such as aesthetics, safety, height measurement, enforcement and fence material. With the aid of a PowerPoint presentation, she illustrated the different types of fences and noted that the Code currently allows a 3-foot fence or hedge height limit for front and street side yard setbacks. She also noted that the Code requires a 25-foot front yard setback and a 10-foot street side yard setback. She explained that the City does not proactively enforce the fence Code but responds on a complaint basis. She noted that property owners who chose to maintain the over-height fence apply for a variance; however, the findings for a variance are very difficult to make. She requested Council direction on: whether the fence Code criteria should be amended; the Code enforcement efforts to pursue and to possibly establish an amnesty program allowing for grandfathering-in existing non-conforming fences; the process for developing a new fence Code; and, conducting a community outreach program on the matter.

Staff was directed to review the front yard height limits, provide more flexibility in the street side yard setbacks and height limits, and establish a height limit for granting amnesty to existing non-conforming fences. The Council also expressed opposition to chain link and barbed wire fences in residential areas and indicated a desire to revert to the 1967 fence height measurement from the sidewalk line or six inches above the street level as opposed to grade level. Finally, staff was directed to present the matter to the Planning Board and conduct a public outreach program.

Final Open
Public Comment
Period of Oral
Communications

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

Citizen Comment	Appearing to comment were Margie Gee, commending the Council for their opposition to the net growth in parking spaces as indicated in the Initial Study and requesting that the Development Agreement include a cap on the number of flights; Don Elsmore, encouraging the Council to provide written protests to specific issues pertaining to the Negative Declaration within the legal deadline to protect the City's legal rights; Kevin Muldoon, requesting that the proposed fast-food facilities on a portion of the A-1 North property be considered in the Initial Study; and, Mike Nolan, noting that the Notice of Default was marked "for accommodation only" by the Los Angeles County Registrar/Recorder and urging the Council to force the sale of the B-6 property as per the Trust Agreement.
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 11:54 p.m.

Margarita Campos, City Clerk