

TUESDAY, SEPTEMBER 28, 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 5:38 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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

Absent - - - - Council Members Ramos.

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

Oral Communications Vice Mayor Vander Borcht called for oral communications on Closed Session matters at this time.

Citizen Comment Appearing to comment was Mike Nolan, on issues pertaining to retaining Mr. Peter Kirsch as Special Airport Counsel.

5:41 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: 461 North Varney Street.
Parties with Whom Agency is Negotiated: Greg and Linda Owens.
Name of Contact Person: Susan Georgino.
Terms Under Negotiation: Proposed sale of real property.
- c. **Name of Case:** Nolan v. Alvord.
Case No.: BS092136
Brief description and nature of case: Injunctive Relief.

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

Regular Meeting Reopened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:41 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 Jack O'Neill.

ROLL CALL

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

Absent - - - - Council Member Murphy.

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

301-1 Burbank Teens In Action Ms. Stein, Deputy Director, Park, Recreation and Community Services/Recreation Services, reported that on September 21, 2004, the Teens in Action teams, Media Communications Team and Police-Youth Relations Team, were recognized by Los Angeles County Supervisor Mike Antonovich for their vital work in Burbank as well as their exemplary service to other communities. A videotape was played depicting the highlights of the recognition ceremony.

301-1 Starlight Bowl Corporate Sponsors Mr. Nelson, Deputy Director, Park, Recreation and Community Services/Recreation Services, recognized the following 2004 Starlight Bowl Corporate Sponsors: NBC; Disney Hand Worldwide Outreach; Burbank City Employees Federal Credit Union; Dilbeck Realtors and GMAC Real Estate; Bob Hope Airport; Burbank Water and Power; Trader Joe's; and, The Burbank Leader. He also acknowledged the efforts of staff members Gwen Indermill, Recreation Services Manager, and Chris Smith, Recreation Supervisor.

301-1 Mayor Ramos presented a proclamation in honor of Hispanic

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Hispanic Heritage Month	Heritage Month to Amy Navarete, Ballet Folklorico Mexico Azteca.
406 Airport Authority Meeting Report	Commissioner Lombardo reported on the Airport Authority meeting of September 23, 2004. He stated that the Authority unanimously approved the Notice of Intention to Adopt A Mitigated Negative Declaration and the California Environmental Quality Act document related to the proposed Airport Development Agreement.
Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council and the Redevelopment Agency during the Closed Session meetings.
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: Don Elsmore, David Nos, Patrick Patterson, Skip Flora, Carolyn Berlin, Phil Berlin, Howard Rothenbach and David Piroli, on the proposed Airport Development Agreement; Maria Proctor, in opposition to over-development in the hillside area; Cecil Selman, requesting that benches be placed along the Chandler Bikeway and Whitnall Highway Park North, and on Charter Communications removing two channels from basic cable service; Mark Stebbeds, on the Interim Development Control Ordinance (IDCO) and urging a vote on the proposed Airport Development Agreement; Richard Gillis, in opposition to Assembly Bill 2702; Molly Hyman, in opposition to the Mitigated Negative Declaration; Ron Vanderford, on prosecution of specific cases by the City Attorney's Office; Esther Espinoza, reading amendments to the United States Constitution; Eden Rosen, on the billboard ordinance, noise issues and an auto repair shop that is parking cars on the sidewalk; Rose Prouser, on environmental control issues with regard to Bob Hope Airport; Mark Barton, on the Downtown Wayfinding Signage Program; and, Margie Gee, on the Mitigated Negative Declaration.
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: Maria Proctor, Michael Scandiffio, Carolyn Berlin, Cecil Selman, Ron Vanderford, Eden Rosen and Rose Prouser, on the proposed Airport Development Agreement; Phil Berlin, on contents of a letter from Mr. Ovrom, former City Manager, to Mr. Marrero, Airport Executive Director, regarding the sale of the B-6 property; Esther Espinoza, on the acceptance of United States Department of Justice block grant funds, inquiring as to the jurisdiction of the Airport Police and on the acceptance of small monetary donations to the City; Don Elsmore, on the contents of the Trust Agreement; Chris Carson, League of Women Voters, in support of the proposed candidate forum on October 27, 2004; Morey Goodstein, in opposition to the installation of parking meters in the downtown, in support of the Wayfinding Signage Program and a parking access control system; Mark Stebbeds, on the B-6 property and the current lack of an aircraft holding area; Mark Barton, displaying a proposed logo for Bob Hope Airport; Howard Rothenbach, in opposition to the implementation of paid parking in the downtown area, on the Empire Interchange proposal and on the application of Measure B to the proposed Airport Development Agreement; Margie Gee, requesting to review the Airport's master plan and on the Mitigated Negative Declaration; Molly Hyman, on public sentiment with regard to any Airport expansion; Mike Nolan, on a letter from Mr. Ovrom to Mr. Marrero; and, David Piroli, on past Airport litigation, the B-6 property and noting there is no appraisal for the purchase of Star Park.
Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Mr. Campbell and seconded by Mr. Vander Borcht that "the following items on the consent calendar be approved as recommended."
Minutes Approved	The minutes for the regular meetings of August 31 and September 7, 2004 were approved as submitted.
1006-1 Amendment's to City's Conflict	<u>RESOLUTION NO. 26,798:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DESIGNATING CLASSIFICATIONS OF EMPLOYMENT WITH

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of THE CITY SUBJECT TO THE REPORTING REQUIREMENTS OF
Interest Code THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING
RESOLUTION NO. 26,329 RELATING THERETO.

1502 RESOLUTION NO. 26,799:
Downtown A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Burbank Station APPROVING AND AUTHORIZING THE EXECUTION OF A
Landscaping SUPPLEMENTAL FUNDING AGREEMENT WITH THE
Enhancement CALIFORNIA DEPARTMENT OF TRANSPORTATION TO
Program RECEIVE FEDERAL FUNDS FOR THE DOWNTOWN BURBANK
STATION LANDSCAPING ENHANCEMENT PROJECT.

907 RESOLUTION NO. 26,800:
804-3 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
801-2 AUTHORIZING THE ACCEPTANCE OF A \$24,435.00 U.S.
DOJ Block Grant DEPARTMENT OF JUSTICE BLOCK GRANT AND AMENDING
Funds THE FISCAL YEAR 2004-2005 BUDGET.

102-3 A report was received from the Public Information Office
Request by the presenting a request from the League of Women Voters
League of of Glendale/Burbank (League) to cablecast a candidate forum
Women Voters on Wednesday, October 27, 2004 for the offices of Congress,
to Conduct State Senate and State Assembly.
Candidate
Forum

The report stated that this year, the League would be emphasizing the importance of youth voting, and was working in cooperation with the Burbank Unified School District to include panelists from all local public high schools. Panelists would also be selected from Woodbury University and Glendale Community College.

The report also indicated that the League has conducted candidate forums in the past and that feedback from the public in Burbank and Glendale in recent years has shown that these City-sponsored voter forums reach a wide audience. It was also estimated that the forum will cost approximately \$395 to produce, broadcast and replay on Channel 6.

The Council approved the request from the League of Women Voters to conduct a candidate forum on October 27, 2004.

703 RESOLUTION NO. 26,801:
Park Facilities A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Use Permit ESTABLISHING THE TIME DEADLINES FOR PARK FACILITIES
Applications USE PERMIT APPLICATIONS AND ESTABLISHING AN INTERIM

PERMIT APPEALS PROCESS FOR RECREATIONAL AND COMMERCIAL USE PERMITS.

Adopted

The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

1705-1
Downtown
Parking Study
And
Management
Plan

Ms. Teaford, Chief Assistant Public Works Director/City Engineer, provided the Council with a summary of the results of an updated downtown parking study and requested input for the development of a detailed Downtown Parking Management Plan. She gave a brief history of the Parking Management Plan and stated that the City's existing parking management tools included on-street parking limits, off-street time limits and long-term employee parking permits, but noted that these tools are not a good fit with the revitalized Downtown Burbank.

Ms. Teaford informed the Council that the Downtown Parking Management Committee (Committee) conducted a parking study to assess the parking inventory and utilization in an effort to quantify and evaluate parking usage. She reported that the study results indicated that overall parking inventory is adequate; however, without effective management, the inventory cannot be effectively used. She added that the study also revealed that employees/long-term parking is occupying prime spaces and that enforcement is cumbersome. She also noted the study concluded that: the core area bounded by Magnolia Street, Olive Avenue and Third Street is the most impacted; inability to find parking causes traffic queuing, congestion and air quality impacts; and, that parking imposes an economic cap on downtown.

Ms. Teaford discussed that the proposed strategies to improve parking include an integrated comprehensive parking program which would extend the time regulation hours and days, use meters as enforcement devices, set reasonable rates and develop a valet ordinance. She added that for off-street parking, the Committee proposed parking access and revenue control equipment for effective management, a validation program for customers, a pricing structure designed to shift demand from prime locations, all integrated with a smart signage program. She also noted an employee parking program which would move employees out of prime spots, more effectively control employee parking, establish tiered employee

parking rates based on location and address parking issues for part-time employees.

Ms. Teaford also discussed the implementation plan which includes: completing the financial pro-forma; preparing a staffing plan; revising the Burbank Municipal Code with regard to valet issues, metered parking and enforcement; developing processes and procedures; developing a community outreach and education program; designing parking layouts; developing signage; determining appropriate equipment needs; selecting service providers; procuring and installing equipment; and, managing the ongoing operation, maintenance and refining the system in order to be flexible and deal with the changing needs in the City.

Mr. Vander Borcht requested further clarification on the number of employee parking permits currently being issued and on the occupancy rate in some parking structures. He also noted safety concerns in certain areas designated for employee parking.

Mr. Campbell requested further clarification on the cost of parking meters and on specific technology cited in the staff report with regard to validations, centralized monitoring and security.

Mrs. Ramos noted the importance of safety if employee parking is moved to a remote location and inquired as to the community sentiments with regard to the proposed strategy.

Mr. Vander Borcht noted the importance of a community outreach program which has to be kept simple. He also noted that paying for parking is only beneficial if the revenue raised is reinvested the downtown area, and that the employee parking program must be enforceable and usable to make employees participate.

Mr. Golonski expressed his preference for free parking in the downtown but recognized that in order to utilize parking effectively, management techniques are necessary. He suggested a phased-in approach, more aggressively implementing the existing parking management tools in the interim, and expressed support for completing the Downtown Parking Management Plan. He added that relocating employee parking to a remote location is not a solution and expressed support for expediting focus on a comprehensive valet program. He also expressed opposition to installing parking meters along San Fernando Boulevard.

Mr. Campbell gave suggestions on the validation procedures

and noted the need for including a downtown transit component in the program. He also suggested considering a meter exemption for hybrid electric cars, expressed general support for metered parking and encouraged staff to be sensitive to market rates.

Mrs. Ramos requested further clarification with regard to employee parking procedures and safety issues used in other cities. She was supportive of parking meters along San Fernando Boulevard and proceeding with the Downtown Parking Study and Management Plan; recognizing employee safety is important and that free parking must be maintained for a specific period of time.

Mr. Vander Borcht disagreed with a phased-in approach. He emphasized the need for a complete plan with an extensive outreach and education component.

Staff was directed to proceed with the next phase of completing the Downtown Parking Study and Management Plan as proposed in the staff report.

1601-1
Art Installation
on the Chandler
Bikeway

Mr. Hansen, Park, Recreation and Community Services Director, reported that at the August 10, 2004 Council meeting, Council Member Murphy requested that staff place an item on the agenda to discuss the potential of developing a public art installation on the Chandler Bikeway. He explained that the Art in Public Places Ordinance requires that a development project with a construction budget of over \$500,000 contribute one percent towards an art installation. He added that since the Chandler Bikeway has no buildings, it was exempt. He reported that the Chandler Bikeway will cost in excess of \$2 million with most of the funding coming from resources that are transportation-specific such as Proposition A and C funds, Metropolitan Transportation Authority grants or the Transportation Development Act funds, which are not available to fund an art project. He added that the General Fund, which is not transportation specific, contributed \$784,729. He noted that the Transportation Commission and Citizens Advisory Committee expressed an interest in honoring the site's rail history; however, the plans were dropped due to cost considerations but some railroad fixtures were saved to potentially be utilized in a future project.

Mr. Hansen informed the Council that funding this proposed project can be accomplished by appropriating a specific amount from the General Fund or by utilizing a portion of the Public Art Fund. He explained that the current Public Art Fund policies govern the manner in which projects are brought

forward by entities other than the Council but do not specify a procedure which the Council must follow. However, the policies dictate the process through which publicly-funded art projects are to be developed. He discussed several pros and cons with the utilization of public art funds and noted that this was the first step in a two-step agenda process for discussion purposes and for additional Council direction.

The Council directed staff to return with a report on the possibility of initiating the process of developing an art installation for the Chandler Bikeway.

1502
Mobility Element
Traffic Forecasts
And Empire
Interchange
Project Update

Mr. Herrmann, Assistant Community Development Director/Transportation, gave an update on the Interstate 5 High Occupancy Vehicle lane project and noted that the Metropolitan Transportation Authority is seeking to expedite the project by approximately four years. With a visual aid, he illustrated the project area and noted a modification that would remove both San Fernando Boulevard underpasses, realign San Fernando Boulevard with Victory Place to become one continuous frontage road along the west side of the train tracks and connect Empire Avenue with San Fernando Boulevard on the east side of the tracks and freeway. He also noted that the freeway ramps will be reconfigured to have both north and southbound on and off access from the new interchange area and that the Scott Road northbound off-ramp would be widened and realigned to allow a left turn for exiting traffic. He then discussed the pros and cons with the modification and noted that the Airport still has concerns with Airport access routes and that staff is working with them towards a resolution.

With regard to the Mobility Element, Mr. Herrmann stated that staff is undertaking an Environmental Impact Report (EIR) and that one of the main components to be studied are the impacts from the land use changes and traffic improvements proposed. He explained that in order to forecast the amount of traffic that would be derived from the land use changes, staff would have to quantify the amount of traffic that could result from development. He noted that currently, there are no means of quantifying or converting development potential in terms of square footage into potential traffic generation and that staff has developed a Traffic-based Intensity Measurement Standard (TIMS) methodology similar to the one used in the City of Beverly Hills. He then discussed the results of the three growth scenarios developed by staff: Scenario A, the No Growth Scenario encompassing existing and entitled development; Scenario B, the Moderate Growth Scenario with the assumption that every commercial/industrial property is built

out to the maximum allowed; and, Scenario C, the High Growth Scenario. He concluded with staff's recommendation that the Council authorize the use of Scenario B as a preferred project to be studied in the EIR and to eventually be incorporated into the Land Use and Mobility Elements which are being updated.

Staff was directed to develop another traffic modeling scenario with reduced Scenario B commercial/industrial and residential 2025 theoretical build-outs.

1503
1504
BWP Monthly
Operations
Report

Mr. Davis, General Manager, Burbank Water and Power, presented the Monthly Water and Power Operating Report for the month of September 2004. He noted that drinking water quality continues to meet or exceed State, Federal and the Council's administrative standards.

Mr. Davis reported that Water Division operations are on budget and that staff has been working on refurbishment on major areas in the City and streets in terms of extending reclaimed water to Costco and the Empire Center and on the groundwater basin replenishment project.

With regard to the Electric Division, Mr. Davis reported that electric reliability continues to excel and, although electric sales are less than projected due to mild weather, wholesale results are better than budget and the operating incomes are approximately \$1 million better than budget.

Mr. Davis also gave an update on the Magnolia Power Project; undergrounding of conduits for the high voltage lines along the Burbank Channel; streetlight master plan; reclaimed water master plan; and, street light installation throughout the City.

The Council noted and filed the report.

203
Mayor's Youth
Task Force
Recommended
Programs

Ms. Stein Deputy Director, Park, Recreation and Community Services/Recreation Services, requested Council authorization to fund the continuance of the Mayor's Youth Task Force recommended Youth Programs. She stated that the programs include the: Peace Colors Middle School Grant Program, Teens In Action Media Communication Team video productions and the Middle School Counseling Program. She added that during the Fiscal Year 2002-03 budget process, the Council directed staff to set aside \$500,000 in one-time funding in a Non-Departmental Holding Account (Youth Services) to be utilized for teen services and programming. She added that currently, \$100,800 remains in this account and that the Mayor's Youth

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Task Force recommends continuance of services in these programs and the expenditure of \$100,000 from the balance of the holding account.

Motion It was moved by Mr. Golonski and seconded by Mr. Campbell that "the Council approve the one-time expenditure of \$100,000 from the Non-Departmental Holding Account to appropriate \$50,000 to the Middle School Counseling Program, \$30,000 to the Peace Colors Middle School Grant Program, and \$20,000 for the Teens In Action Media Communication Team video productions."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

Ordinance Submitted It was moved by Mr. Golonski and seconded by Mr. Vander Borgh that "Ordinance No. 3650 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

206
304-1
Small Monetary
Donations

ORDINANCE NO. 3650:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
ADDING SECTION 14-110 TO THE BURBANK MUNICIPAL
CODE REVISING CITY PROCEDURE IN ACCEPTING SMALL
MONETARY DONATIONS.

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

Ordinance Submitted It was moved by Mr. Campbell and seconded by Mr. Golonski that "Ordinance No. 3651 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

804-5 Exempt Impound Or Storage Fees Charged by Tow Operators from the TPT ORDINANCE NO. 3651:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING ARTICLE 19, CHAPTER 14, SECTION 14,1906 OF THE BURBANK MUNICIPAL CODE TO EXEMPT IMPOUND OR STORAGE FEES CHARGED BY TOW OPERATORS FROM THE TRANSIENT PARKING TAX.

Adopted The ordinance was adopted by the following vote:

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

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 was Mike Nolan, on a letter from Mr. Ovrom, former City Manager, to Mr. Marrero, Airport Executive Director.

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 12:53 a.m. to Wednesday, September 29, 2004 at 5:30 p.m. in the City Hall Basement Lunch Room/Conference Room to continue Closed Session.

Margarita Campos, City Clerk

APPROVED NOVEMBER 23, 2004

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Mayor of the Council
of the City of Burbank