

TUESDAY, NOVEMBER 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, Mayor.

CLOSED SESSION

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

Absent - - - - Council Member Campbell.

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.

4:38 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 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  
**Name of Agency Negotiator:** Community Development Director/Susan M. Georgino.  
**Properties:** Opportunity Site #6B-Bounded by Magnolia Boulevard, First Street, Orange Grove Avenue and Bonnywood Place (I-5 Freeway). Opportunity Site #7-Bounded by Magnolia Boulevard, railroad tracks and Olive Avenue – adjacent to the Downtown Burbank Metrolink Station.  
**Party With Whom Agency is Negotiating:** Nick Behunin, Del Rey Properties, 1036 North Lake Street, Burbank, California 91502.  
**Terms Under Negotiation:** Sale of City and Agency-owned property located on Opportunity Site 6B and Opportunity Site 7.

- c. Conference with Real Property Negotiator:  
Pursuant to Govt. Code §54956.8  
**Name of Agency Negotiator:** Community Development Director/Susan M. Georgino.  
**Property:** Burbank Entertainment Village Project Phase II (bounded by Palm Avenue, first Street, the back of businesses along San Fernando Boulevard, and a portion of the block where the AMC 14 was formerly located next to the Orange Grove parking structure).  
**Parties With Whom Agency is Negotiating:** Bob Champion (Champion Development), 11601 Wilshire Boulevard, Suite 1650, Los Angeles, CA 90025, Chuck Stilley, American Multi-Cinema (AMC) 920 Main Street, Kansas City, MO 64105.  
**Name of Contact Person:** Jennifer Mack, Redevelopment Project Manager.  
**Terms Under Negotiation:** Purchase of Property (potential exercise of option).
  
- 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 Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:34 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 Kent Vest.

ROLL CALL

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

Absent - - -      Council Members None.

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

- 301-1  
Employee  
Service  
Awards
- Mayor Ramos commended City employees for their integrity, mutual respect, teamwork, service to residents and pursuit of excellence. Mayor Ramos and City Manager Alvord presented certificates to the following employees who were being honored for reaching a significant service anniversary: 20 years of service honorees: Janice Bartolo; Darrin Borders; James Patricola; William Taylor; and, Thomas Wilke. 25 years of service honorees: John Calicchio; John Cassidy; Jolene Elliot; John Haws; Hans Jenner; Ira Joffee; Victor Marquez; Mericio Ortega; Tracy Pansini; Kevin Parkes; Gregory Rhoads; and, Brian Williamson. 30 years of service honorees: Margarita Campos; Joann Davis; Jacqueline Demmert; William Kaufman; Robert Ramsey; Ben Reed; William Sanders; Stephen Sheehey; Jess Talamantes; Robert Van Hazelen; and, Robert Wishart. 35 years of service honorees: Michael W. Davis; Thomas Pust; and, Kent Vest. 40 years of service honoree, David Bell.
- 406  
Airport  
Authority  
Meeting Report
- Commissioner Lombardo reported on the Airport Authority Special meeting of October 27, 2004 and the regular meeting of November 1, 2004. He stated that at the October 27, 2004 meeting, the Authority approved the applications for the two Public Utilities Code hearings for the A-1 North property acquisition, and the Taxiway D and Thornton Street realignment projects. He also reported that the Authority submitted the final Mitigated Negative Declaration and Planned Development Agreement to the City. In addition, he stated that the Authority authorized the development of a heavy-duty vehicle acquisition policy.
- With regard to the November 1, 2004 meeting, Commissioner Lombardo reported that the Authority discussed the new flight schedule from United Airlines. He also noted that Southwest Airlines has already acquired 25 electrical ground service equipment and gave an update on the airline passenger and cargo handling activity.
- The Council received the report.
- 7:02 P.M.  
Hearing  
1702  
ZMA 2004-76 –  
1001 N. San  
Fernando Blvd.
- Mayor Ramos stated that “this is the time and place for the hearing on Project No. 2004-76, a proposed Zone Map Amendment and related Negative Declaration. The proposed zone map amendment would rezone a portion of the property located at 1001 North San Fernando boulevard from the M-1 Light Industrial zone to the C-3 Commercial General Business Zone.”
- Notice
- The City Clerk was asked if notices had been given as required

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Given by law. She replied in the affirmative and advised that no written communications had been received.

Staff Report Mrs. Forbes, Principal Planner, Community Development Department, presented a request by Rafik Khatchaturian to change the zoning on a lot at 1001 North San Fernando Boulevard. She noted that the subject property is currently zoned both C-3 Commercial General Business and M-1 Light Industrial, and that the zone change to make the entire property C-3 is necessary for a proposed expansion of an existing shopping center.

Mrs. Forbes informed the Council that a finding that the zone amendment is consistent with the General Plan is required. She added that the Land Use Element designates the entire property as Shopping Center, that the M-1 zoning is inconsistent with this General Plan designation and the C-3 zoning is more appropriate.

Mrs. Forbes added that the Planning Board held a public hearing and approved the proposed expansion along with a sign variance, but both approvals are subject to Council approval of the Zone Map Amendment and associated Negative Declaration.

Mr. Garen Marnessian, Architect representing Rafik Khatchaturian, gave an overview of the proposed shopping center expansion and urged that the Council approve the Zone Map Amendment.

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

Motion It was moved by Mr. Campbell and seconded by Mr. Vander Borcht that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading and that the following resolution be passed and adopted:"

Ordinance Introduced AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A ZONE MAP AMENDMENT FOR PROJECT NO. 2004-76 (1001 North San Fernando Boulevard; Applicant: Rafik Khatchaturian).

1702  
ZMA 2004-76 – RESOLUTION NO. 26,819:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK

1001 N. San Fernando Blvd.	ADOPTING A NEGATIVE DECLARATION FOR ZONE MAP AMENDMENT – PROJECT NO. 2004-76.
Adopted	<p>The ordinance was introduced and the resolution was adopted by the following vote:</p> <p>Ayes: Council Members Campbell, Golonski, Murphy, Vander Borght and Ramos.</p> <p>Noes: Council Members None.</p> <p>Absent: Council Members None.</p>
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	<p>Appearing to comment were: Don Elsmore, Carolyn Berlin, Phil Berlin, David Piroli, Rose Prouser, Ron Vanderford, Mark Stebbeds, and, Charles Trapani, on Airport matters; Howard Rothenbach, on tax increment and responses to citizen correspondence by Council Members; Eden Rosen, on utility rate increases and Alzheimers disease awareness; Mark Barton, on public art displays; Floran Frank, on the installation of the soundwall on the State Route 134 freeway; and, Dr. Theresa Karam, on the upcoming municipal elections.</p>
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	<p>Appearing to comment were: Don Elsmore, Mark Stebbeds, Ron Vanderford, Rose Prouser, Eden Rosen, Phil Berlin, Carolyn Berlin, Charles Trapani, Esther Espinoza, David Piroli, Mike Nolan and Mark Barton, on Airport matters; Lew Stone, on the Burbank Firefighters Memorandum of Understanding and future restoration of staffing levels; Garen Yegparian, on the</p>

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upcoming municipal elections, in support of the rail trolley study and expressing appreciation for Council consideration of a comment letter on the Canyon Hills Development; and, Howard Rothenbach, on the proposed rail trolley study and Measure A.

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

9:27 P.M. Recess The Council recessed to permit the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board to hold their meetings. The Council reconvened at 9:29 p.m. with all members present.

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

802-1 Treasurer's Report The City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending September 30, 2004 was noted and ordered filed.

1007-1  
1009-1  
Principal Civil Eng./BWP to Manager Water Engineering/ Planning RESOLUTION NO. 26,820:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF THE CLASSIFICATION OF PRINCIPAL CIVIL ENGINEER/BWP (CTC No. 0680) TO MANAGER WATER ENGINEERING/PLANNING (CTC No. 0533).

1007-1  
1009-1  
Revise Spec. of Water Maint/ Construction Superintendent RESOLUTION NO. 26,821;  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF WATER MAINTENANCE/CONSTRUCTION SUPERINTENDENT (CTC No. 0990).

1011-2  
Approve MOU with the RESOLUTION NO. 26,822:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING

Burbank Firefighters BETWEEN THE CITY OF BURBANK AND THE BURBANK FIREFIGHTERS AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2004-2005.

1012 Safety Boot Contract with Work Boot Warehouse  
RESOLUTION NO. 26,823:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN EXTENSION OF THE TERM OF PRICE AGREEMENT PA 1444.

204 Approve a PSA with Martin & Chapman  
RESOLUTION NO. 26,824:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND MARTIN & CHAPMAN COMPANY.

Adopted The consent calendar was adopted by the following vote:

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

204 Ordinance Ordering the 2005 Elections  
 Mrs. Campos, City Clerk, requested Council approval of an ordinance ordering a Primary Nominating Election to be held on Tuesday, February 22, 2005 and a General Municipal Election to be held on April 12, 2005 as established by the City Charter and Municipal Code. She explained that the 2005 Primary Nominating Election will nominate or elect candidates for terms of four years for: three offices for Member of the City Council; two offices for Member of the Board of Education; one office for City Clerk; and, one office for City Treasurer. She added that the General Municipal Election will be conducted on April 12, 2005, and will, if necessary, elect to the offices of Member of the Council, Member of the Board of Education, City Clerk and City Treasurer, the candidates nominated at the Primary Nominating Election. She noted that all Municipal Elections shall be conducted and held in substantial accordance with the City Charter, Burbank Election Code and the State Election Code.

Motion It was moved by Mr. Vander Borgh and seconded by Ms. Murphy that the following ordinance be introduced and adopted:"

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204  
Ordinance  
Ordering the  
2005 Elections

ORDINANCE NO. 3655:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK  
ORDERING A PRIMARY NOMINATING ELECTION ON  
FEBRUARY 22, 2005, AND ORDERING A GENERAL MUNICIPAL  
ELECTION ON APRIL 12, 2005.

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.

1502  
Rail Trolley  
Study

Mr. Herrmann, Assistant Community Development Director/Transportation, presented a request by Council Member Campbell that the City consider a rail trolley study. He reported that in September 2004, the Glendale City Council appropriated \$100,000 to study the feasibility of constructing and operating a trolley system in their downtown area. He explained that while the initial concept was to study a circular route in the Glendale downtown area, there was also some interest in developing a system that provides regional linkages to employment centers and transportation nodes.

Mr. Herrmann informed the Council that initial discussions with Glendale staff suggested that there may be an opportunity to work jointly on a regional trolley system. He added that this matter was discussed by the Transit Task Force with a consensus to support a joint study, and interest in the possibility of developing a fixed rail trolley.

Staff was directed to closely monitor the City of Glendale feasibility study and provide an update to the Council.

405-1  
Canyon Hills  
Development  
Comments

Mr. Baker, Deputy City Planner, Community Development Department, gave a brief overview of the Canyon Hills Development Project proposed to be built in the La Tuna Canyon area of the City of Los Angeles, and the associated Environmental Impact Report. He added that the Council directed staff to provide options for providing comments to the City of Los Angeles on the proposed project due in part to a number of concerns raised by the public.

Motion

It was moved by Mr. Vander Borght, seconded by Mr. Campbell and carried with Mr. Golonski and Ms. Murphy



voting no that, "a letter be drafted for the Mayor's signature to the Los Angeles City Council and more specifically to Council Member Wendy Gruehl with respect to the Canyon Hills Development Project requesting that they acknowledge the impact on the scenic vistas that this project will have and its impact on Burbank residents who use the Verdugo Mountains trails. The letter would also note the loss of the educational opportunities for children due to the disturbance of the wildlife in that area."

1503  
1504  
BWP Monthly  
Report

Mr. Davis, General Manager, Burbank Water and Power (BWP), presented the monthly water and power operating report for the month of October 2004. He stated that drinking water quality continues to meet or exceed State, Federal and the Council's administrative standards.

Mr. Davis reported that the financial results for the Water Fund are on budget and gave an update on the groundwater replenishment project. With regard to the Electric Division, he noted that although electric retail sales have been below budget due to mild weather, cost control and wholesale operations have been better than budget. He stated that overall, the financial and operating results of the Electric Fund are better than budget.

Mr. Davis also gave an update on the construction of the microturbine expansion project at the City's landfill, the natural gas procurement program with the City of Los Angeles and commented on the safety award and progress of the Magnolia Power Project. He informed the Council that BWP has implemented a third-party multi-language service of up to 150 language translators to support languages not commonly spoken by staff and noted that the new customer billing system received a national award.

The Council noted and filed the report.

10:37 P.M.  
Reconvene  
Redev. Agency,  
Housing  
Authority,  
Parking  
Authority and  
YES Fund Board  
Meetings

The Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings were reconvened at this time.

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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 the proposed Airport Development 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 10:40 p.m. to Thursday, November 4, 2004 at 5:30 p.m. at the Fire Training Center, 1845 North Ontario Street, for a Development and Community Services Building Design Study Session to discuss the following: brief overview of the prior project architect Widom Wein Cohen O'Leary & Terasawa's (WWCOT) design; proposed use of exterior finish materials, colors and architectural features; comparison of other relevant existing civic-oriented buildings; discussion of the proposed building's exterior design within the Burbank Civic Center context; solicitation of public comment and/or City Council input; and, identification of the next step(s) in order to proceed with the Construction Documents Phase and return to the Council meeting of November 16, 2004 with a request to proceed with construction drawings for the DCSB.

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Margarita Campos, City Clerk

APPROVED DECEMBER 7, 2004

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Mayor of the Council  
of the City of Burbank