

TUESDAY, FEBRUARY 15, 2005

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 5:34 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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

Absent - - - - Council Members None.

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.

5:35 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. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957  
**Title of Employee's Position:** City Manager and City Attorney.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:55 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 Shirley Smith.

2/15/05

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  
Community  
Disaster  
Volunteers

Interim Fire Chief Mehling gave a brief overview of the Community Disaster Volunteer program. Rich Baenen, Disaster Preparedness Coordinator, recognized the active volunteers for their exemplary service. Mayor Ramos expressed appreciation to and recognized the following Community Disaster Volunteers; June Box, Erik Day, Jenny Day, Diane Finn, Dick Fischer, John Hurst, Jody Junor, Debra Lockett and Michael McCarty, for 100+ hours of service; and, Teri Christopher, Troy Peace and Bill Tracey, for 200+ hours of service. Mayor Ramos also presented awards to: David Fleming, Distinguished Recognition; Eric Christensen, Disaster Volunteer of the Year; and, Deborah Shane, Outstanding Achievement.

301-1  
Citizen  
Recognition –  
Shirley Smith

Mayor Ramos recognized Shirley Smith and her dog, Flash Gordon, for their search and rescue efforts during the recent La Conchita mudslides.

301-1  
Teens in  
Action's Receipt  
of Golden Mike  
Award

Mayor Ramos recognized Colleen Duffy Felix, Victoria O'Neill and all members of the Teens in Action Media Communication Team for their receipt of the Golden Mike Award for their show entitled "Sex: What You Don't Know Can Hurt You!"

7:28 P.M.  
Hearing  
1702  
PD 89-7  
(M. David Paul)

Mayor Ramos stated that "this is the time and place for the hearing on the Second Amendment to Planned Development No. 89-7; the Mitigated Declaration; a Development Agreement; and a vacation of a public utility easement for the Media Studios North Project. The Developer, M. David Paul Development LLC, wishes to expand the boundaries of Planned Development Zone No. 89-7 by .52 acres and to increase the allowable building area from 650,000 square feet to 925,000 square feet which is an increase of 275,000 square feet."

Notice  
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff  
Report

Mr. Ochsenbein, Senior Planner, Community Development Department, requested that the Council consider a second amendment to Planned Development (PD) No. 89-7, Media Studios North. He reported that M. David Paul Development is proposing to increase the current entitlement for Media Studios North by 275,000 square feet (sf) of office space. He added that the proposal also involves a request to expand the boundary of the project to include 0.52 acres of property fronting the east side of Avon Street and a vacation of an existing, unutilized easement on the 0.52 acre property. He clarified that the proposed expansion will be modified to allow for vehicular ingress/egress from Avon Street. He noted that the proposed amendment does not contemplate any changes to the existing permitted uses or development standards established for the project beyond an increase in overall density.

Mr. Ochsenbein informed the Council that PD 89-7 originally began as a project called the Burbank Business Centre, approved in November 1991 as an office project with four buildings, each three-to-five stories in height. He explained that project was located on a site owned by the Redevelopment Agency (Agency) and the maximum development established for the project was 650,000 sf, contingent upon the inclusion of properties fronting along Avon Street, which were not under the control of the developer. He noted that development without those properties was limited to 475,000 sf. He added that the project also involved a General Plan Amendment which modified the site including the Avon Street frontage to Limited Commercial, a land use consistent with this type of office project. He noted that due to changes in the real estate market, the project was never constructed and the Agency began pursuing other developers for the site.

Mr. Ochsenbein reported that in 1996, the Agency began working with M. David Paul Development to take over development of PD No. 89-7 and in 1997 an amendment to the PD was approved to allow for the construction of the Media Studios North project. He reported that similar to the Burbank Business Centre, Media Studios North had a maximum development of 650,000 sf but was not subject to the contingencies applied to the Burbank Business Centre project due to the fact that the project included an additional 21,397 sf of land from the Lockheed Skunkworks property located to the north of the project site, which is also owned by M. David Paul. He noted that unlike many PDs where a specific project is approved, Media Studios North was approved in a manner similar to a typical change of zoning. The project was not

approved with a site plan, but rather, development envelopes were established for the site including maximum height limits and minimum setback requirements.

Mr. Ochsenbein then discussed the development standards approved for the project, noting that they were consistent with typical Burbank Municipal Code development standards. He added that under the existing entitlements, two buildings have been constructed and that excavation and foundations for a third building have been completed, and construction of this building is expected to begin in early 2005.

Mr. Ochsenbein reported that the proposed amendment involves the modification of the existing project boundaries to include the Avon Street frontage which was originally contemplated as part of the Burbank Business Center project. He added that along with the expansion of the project site, M. David Paul is requesting an increase in the overall density of the site by 275,000 sf for a total of 925,000 sf. He noted that all development on the site, including the proposed amendment, would be subject to the existing development standards for the project. Additionally, the project would be required to remain consistent with the existing architecture on the site.

Mr. Ochsenbein informed the Council that as a part of the review process for the proposed amendment, a Request for Proposals was issued in order to prepare the environmental analysis pursuant to the California Environmental Quality Act (CEQA). Ultimately, Christopher A. Joseph and Associates was retained to act as the City's consultant for the CEQA analysis and Kimley-Horn and Associates was contracted to prepare the traffic impact analysis. He added that based upon a review of the project and an analysis of its impacts, a Mitigated Negative Declaration was prepared indicating that, with proposed mitigation measures, the project will not result in a significant impact on the environment. He then discussed the most notable traffic impacts and the proposed mitigation measures. He noted that the project was reviewed and approved by the Planning Board on December 13, 2004 and discussed the responses to the concerns raised by the Planning Board. He concluded with staff's assessment that the proposed amendment to PD No. 89-7 is consistent with the goals and objectives of the General Plan as well as the design guidelines for approval of a PD.

Applicant/  
Representative

Jeff Worthy, Principal with M. David Paul Development, gave a brief history of the project and the features on the project site that will help modify the typical office development traffic

patterns, such as the gym, screening room and day care center and commissary. He also noted that incentives will be provided for Metrolink riders.

Mr. Vander Borght, Mr. Campbell and Mrs. Ramos acknowledged meeting with the applicant.

Citizen Comment            Appearing to comment were: Stan Hyman, Don Elsmore, Howard Rothenbach, Rose Prouser and David Piroli, in opposition to the project; David Gordon, expressed concerns with the Mitigated Negative Declaration process and cumulative impacts; and, Esther Espinoza, expressed concerns with noise and traffic impacts.

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

Rebuttal                    Mr. Worthy responded to public comment regarding: the project's proximity to the day care center; ingress and egress to the project from Hollywood Way; the applicability of an Alcohol and Beverage Control alcohol license; and, the project height.

Mr. Ochsenbein responded to public comment with regard to: the environmental and traffic analysis; traffic impacts; the consideration of the State Route 134 On-Ramp Project in the traffic study; accessibility to the open areas; traffic mitigation measures and consideration of cumulative projects in the Mitigated Negative Declaration process.

Motion                     Following Council deliberation, it was moved by Mr. Vander Borght and seconded by Mr. Campbell that "the following resolutions be passed and adopted and the following ordinance be read for the first time by title only and be passed to the second reading, as amended with an additional 60,000 square feet of entitlement contingent upon TMO participation over a two-year period."

1702                        RESOLUTION NO. 26,905:  
 Adopt Mitigated        A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Neg. Dec. for            ADOPTING THE MITIGATED NEGATIVE DECLARATION (MEDIA  
 Media Studios            STUDIOS NORTH).  
 North (M. David  
 Paul)

2/15/05

1702  
2<sup>nd</sup> Amend to  
PD 89-7 (Media  
Studios North)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE SECOND AMENDMENT TO PLANNED DEVELOPMENT NO. 89-7 AND AN AMENDMENT TO THE DEVELOPMENT AGREEMENT RELATED THERETO (MEDIA STUDIOS NORTH).

1702  
Public Service  
Easement Vac.  
East Side of  
Avon St. (V-  
335)

RESOLUTION NO. 26,906:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE SUMMARY VACATION OF A PUBLIC SERVICE EASEMENT ON THE EAST SIDE OF AVON STREET, BURBANK, CALIFORNIA (V-335).

Adopted

The resolutions were adopted and the ordinance was introduced by the following vote:

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

Noes: Council Members None.

Absent: Council Members None

9:23 P.M.  
Jt. Hearing w/  
Housing  
Authority  
906  
Public Housing  
Agency Five-  
Year Plan and  
Annual Plan

Mayor Ramos stated that "this is the time and place for the joint public hearing of the Council of the City of Burbank and the Housing Authority of the City of Burbank to consider the Five Year Public Housing Agency Plan for 2005-2009 and the Public Housing Agency Annual Plan for Fiscal Year 2005."

Notice  
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff  
Report

Ms. Ruth Davidson-Guerra, Assistant Community Development Director/Housing and Redevelopment, requested that the Council and Housing Authority Board consider: 1) the Five-Year Public Housing Agency Plan for 2005–2009; 2) the Public Housing Agency Plan for Fiscal Year (FY) 2005-06 (which includes an amendment to the Section 8 Program payment standard); and, 3) authorizing the Board Chairperson and the Executive Director to execute the certifications that are required by the United States Department of Housing and Urban Development (HUD).

Ms. Davidson-Guerra reported that the Section 8 Rental Assistance Program is funded by HUD with a primary purpose of providing rent subsidies on behalf of the very-low income tenants throughout the City. She noted that the Five-Year Plan describes the mission of the Housing Authority and the goals for achieving its mission over the next five years. She explained that the mission of the Burbank Housing Authority is to provide affordable housing that is decent, safe and sanitary to very-low income tenants in Burbank. She noted the Housing Authority's primary goal of assisting the greatest number of families or households within the Housing and Urban Development (HUD)-allocated budget, utilizing all 1,014 housing assistance vouchers available to Burbank.

Ms. Davidson-Guerra reported that for the most part, Federal regulations dictate the implementation standards of the Section 8 Program. She added that there are some areas where local discretion is allowed and that the local policy decisions are included in the revised Administrative Plan, including: timing for opening and closing the Section 8 Waiting List; establishing local preferences for the Waiting List; obtaining credit reports for applicants and participants; establishing local housing assistance payment standards; obtaining information on criminal activity for household members; and, establishing repayment options for fraudulent cases.

Ms. Davidson-Guerra informed the Council that over the past year, staff has faced several challenges with administering the Section 8 Program. She stated that nationwide, the Program has been faced with uncertainties from the Federal budget and in addition, Burbank's rising housing costs and local rents have taken a toll on the Program. She noted that in 1999, the Housing Authority established the policy of setting the Section 8 payment standards at 110 percent of the fair market rents which has been successful in achieving its primary goal, especially since the Housing Authority had a sufficient amount of reserve funding available from which to draw. She added that with Burbank's rental rates on the rise, the local standard of paying 110 percent above the HUD fair market rents has negatively impacted the Authority's budget and if conditions are left unchanged, the Housing Authority reserve funds will be exhausted within twelve months.

Ms. Davidson-Guerra informed the Council that in an effort to avoid reducing rental vouchers or depleting funds, staff is recommending a program administration amendment that would adjust the payment standard from the fixed rate of 110 percent above the fair market rents to 90 percent. She

explained that setting the payment standards at 90 percent of the fair market rent would ultimately result in a per-household subsidy decrease of roughly \$104 per month for approximately 34 percent of the program participants (roughly 341 households). With this reduction, she noted that the Housing Authority will be able to continue serving the maximum number of households, thereby providing the highest level of service and assistance while staying within the annual budget.

She added that in accordance with HUD guidelines, a local Authority must provide a two-year notice period to the affected tenants. In the meantime, households new to the program and tenants that move would be assisted at the new payment standard of 90 percent.

Ms. Davidson-Guerra also reported that the Five Year Plan and the proposed Annual Plan including the proposed adjustment to the payment standard were presented to the Resident Advisory Board, comprised of 12 Section 8 Program participants.

Citizen  
Comment

Appearing to comment was Rose Prouser, requesting clarification on income levels, opening and closing of the Section 8 Waiting List, and rent determination.

Hearing  
Closed

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

Following Council deliberation, staff was directed to return with more information depicting the potential impact of the Annual Plan on the Section 8 Program participants.

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: Howard Rothenbach, on the ability of Providence Saint Joseph Medical Center to purchase power from another utility other than Burbank Water and Power; Paul Dyson, on potential changes to Amtrak service; Mark Barton, on massing models; David Gordon, responding to comments made at a previous Council meeting; Stan Hyman,



on election matters; Eden Rosen and Rose Prouser, on Airport matters; James Schad, on the Disney pedestrian bridge and the ballot counting process; and, David Piroli, on election issues and commending the City Clerk's Office for exemplary service.

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: David Gordon, commending the City Clerk's Office and on the Media Studios North project; Eden Rosen, on Section 8 Program eligibility; Rose Prouser, inquiring whether redevelopment funds can be used for Section 8 Program vouchers or outside of redevelopment areas, and on the Natural Gas Sales Agreement with the Southern California Public Power Authority; Esther Espinoza, in support of the "Kidsteps to Safety" bicycle and pedestrian safety grant; and, Howard Rothenbach, in opposition to the adjustment of paramedic ambulance transportation fees and commenting on the mid-year adjustments and the sale of power to Providence Saint Joseph Medical Center.

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

10:50 P.M. Recess The Council recessed at this time. The meeting reconvened at 11:00 p.m. with all members present.

802-1 Jt. Mtg. with Redev. Agency, Housing Authority, Parking Authority and YES Fund Board 2005 Investment Policy Ms. Anderson, City Treasurer, requested that the Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2005 Investment Policy. She explained that the Investment Pool is comprised of the City, Redevelopment Agency, Parking Authority, Youth Endowment Services Fund and separately the Housing Authority. She noted that the recommended changes include: decreasing the monthly liquidity requirement from \$67 million to \$62 million; adding Gavin Lee, Wachovia Securities, to the list of qualified brokers from which the City may purchase investments; and, deleting Ken Herman, First Tennessee Bank, who is retired, Kirk Walske, Bank of America Securities, who has not been involved with the City's portfolio, and Ron Gross, Vining Sparks, who is not active in servicing the City's needs.

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Motion It was moved by Ms. Murphy, seconded by Mr. Campbell and carried that "the Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2005 Investment Policy."

802-1  
Jt. Mtg. with  
Redev. Agency  
Mid-Year  
Adjustments for  
FY 2004-05

Mr. Hanway, Financial Services Director, provided the Council with a review of the City's financial status as of December 31, 2004; requested Council approval of mid-year adjustments to the Fiscal Year (FY) 2004-05 approved budget; provided a summary of the Five Year financial forecast; discussed relevant detail pertaining to the development of the City's FY 2005-06 budget; and, discussed the available non-recurring funding sources which included: the UUT & In Lieu Set Aside Fund; Vehicle License Fee (VLF) Gap Securitization Fund; Capital Projects Contingency Appropriation; and, Interest Earned on Bond Proceeds.

Mr. Hanway explained that the mid-year budget adjustments included requests from: the City Clerk's Office for election-related services; Community Development Department for user licenses and maintenance fees; Fire Department for Interagency Communications Interoperability System (ICIS) participation and polygraph screening exams for firefighter recruit background checks; Library Services Department to appropriate additional funds received from a State Literacy Grant; Management Services Department for the Safety Program/safety shoes; Park, Recreation and Community Services Department for costs related to the Olive Recreation Center; Police Department for costs related to Interagency Communications Interoperability System (ICIS) participation, Safety Suite Software and Hardware, and spaying and neutering of shelter animals.

Mr. Hanway noted that non-departmental items included: \$3 million from the UUT & In Lieu Set Aside account to cover the first year of ramp-up for the new Central Library; \$1 million for the infrastructure replacement reserve; \$84,000 to mitigate traffic at the Animal Shelter; \$4,770 to pay for annual Local Agency Formation Commission (LAFCO) costs; and, \$250,000 to fund counseling programs for high schools and middle schools and other teen-related programs, including "Teens in Action," as recommended by the Mayor's Youth Task Force.

Mr. Hanway also reported that non-General Fund requests included: Proposition A—Transportation Fund (Fund104) for implementing Burbank Local Transit (BLT) Phases I and II as recommended by the Transit Services Task Force; City Centre

Debt Service Fund (Fund 202) to cover the second installment of the Mall rebate check, payable to Burbank Mall Associates, LLC Property and Sales Tax Rebate; City Centre Redevelopment Project Area (Fund 302) for additional funding to pay for traffic engineering services for the Downtown Parking Management Plan; Low/Moderate Housing (Fund 305) for the costs associated with professional services for the litigation on the Peyton/Grismer Project; Refuse Collection and Disposal Fund (Fund 498) for the landscape maintenance contract at the Recycle Center which had previously been included in the Landfill budget but was not budgeted for FY 2004-05; Office Equipment Replacement Fund (Fund 533) for the previously-mentioned Police Safety Suite and to replace the ceramics kiln for the Park, Recreation and Community Services Department; Municipal Building Replacement Fund (Fund 534) to reimburse the contingency budget for funds used on the old Fire Station 13 re-roofing and rehabilitation project; and, Computer Equipment Replacement Fund (Fund 537) to replace all 43 remaining old clone computers at the Northwest and Central Libraries.

Mr. Golonski requested that \$100,000 be set aside for three-year funding cycles of the PerformArts Grants and that the grant be reconsidered after three years. The Council was not supportive.

Mr. Vander Borght requested that the Council consider allocating \$3 million from the UUT \$ In Lieu Set Aside; with \$1 million allocated towards the Central Library replacement, \$1 towards the Traffic and Transportation fund and \$1 million for beautification of the City, specifically Burbank Boulevard.

Mr. Golonski agreed with Mr. Vander Borght's proposal but suggested that \$2 million be allocated to the Library Fund and \$2 million towards the infrastructure reserve fund, which would include transportation, traffic and Burbank Boulevard beautification.

Mrs. Ramos was supportive of allocating \$1 million towards traffic and transportation improvements, \$1 million towards the Library and \$2 million towards the Infrastructure Reserve Fund including Burbank Boulevard. Ms. Murphy concurred and suggested that a priority of projects be established.

Mr. Campbell was supportive of allocating \$1 million towards traffic and transportation improvements, \$1 million towards the Library, and \$2 million towards the infrastructure reserve fund of which \$1 million was dedicated to Burbank Boulevard improvements.

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Mr. Hanway informed the Council of other potential funding sources for Burbank Boulevard projects.

Mrs. Ramos expressed support for the Police Safety Suite proposal. The Council concurred.

The Council was supportive of the \$250,000 allocation to the Youth Task Force.

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

802-1 RESOLUTION NO. 26,907:  
Mid-Year A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Adjustments for AMENDING THE BUDGET OF FISCAL YEAR 2004-2005 FOR  
FY 2004-05 THE PURPOSE OF MID-YEAR ADJUSTMENTS, as amended  
with \$1 million allocated to the Library Reserve Fund, \$1  
million to the Transportation Fund and \$2 million to an  
Infrastructure Reserve Fund."

Redev. Agency Redevelopment Agency Resolution No. R-2128 for Fiscal Year  
Reso. Adopted 2004-2005 for the Purpose of Mid-Year Adjustments was  
adopted.

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.

11:57 P.M. The Council recessed to permit the Redevelopment Agency,  
Recess Housing Authority, Parking Authority and Youth Endowment  
Services Fund Board to hold their meetings. The Council  
reconvened at 11:59 p.m. with all members present.

Items Removed The items regarding advertising for two vacancies on the  
From Consent Transportation Commission and the Adjustment of Paramedic  
Calendar Ambulance Transportation Fees were removed from the

consent agenda for the purpose of discussion.

Motion It was moved by Mr. Vander Borcht 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 December 31, 2004 was noted and ordered filed.

1211 Annual Weed Abatement RESOLUTION NO. 26,908:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF, AND BRUSH, RUBBISH, REFUSE, AND DIRT UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTY IN THE CITY ARE A PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF.

1503 LM6000 SCR Upgrade and NOx Catalyst Replacement Project RESOLUTION NO. 26,909:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AWARDED A DESIGN AND CONSTRUCTION SERVICES AGREEMENT TO TURNER ENVIROLOGIC, INC. FOR THE LM6000 SCR UPGRADE AND NOx CATALYST REPLACEMENT PROJECT (REQUEST FOR PROPOSAL NO. 1181).

804-3 Kidsteps to Safety Bicycle And Ped. Safety Grant RESOLUTION NO. 26,910:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING ACCEPTANCE OF A BICYCLE AND PEDESTRIAN SAFETY GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND AMENDING THE FISCAL YEAR 2005-2006 BUDGET.

1011-5 MOU with BMA RESOLUTION NO. 26,911:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK MANAGEMENT ASSOCIATION AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2004-2005.

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

2/15/05

202-12  
Vacancies on  
the  
Transportation  
Commission

A report was received from the Community Development Department requesting Council authorization to solicit applications from Burbank residents to replace two members of the Transportation Commission. The report indicated that one of the members has asked to be replaced for health reasons, and the other has been called up to active duty in the National Guard, and is expected to be outside of the country for at least one year. It was indicated that continuing difficulties in achieving meeting quorums necessitates that these existing members be replaced at this time.

Mr. Golonski requested that a mechanism be established that would allow for a member to return to service on a board, commission or committee upon return from active duty.

Motion

It was moved by Mr. Golonski, seconded by Mr. Campbell and carried that "the City Clerk advertise for the two vacancies on the Transportation Commission and that staff be directed to return with alternatives that would allow for a member to return to service on a board, commission or committee upon return from active military service."

908  
Paramedic  
Ambulance  
Transportation  
Fees

A report was received from the Fire Department requesting Council authorization to amend Article V, Section 1 of the City of Burbank Fee Schedule by increasing paramedic ambulance fees to match the recently-adopted Los Angeles County rates. The report indicated that the County of Los Angeles recently adopted an increase to their "General Public Ambulance Rates" schedule, which went into effect on January 1, 2005. The report indicated that with Medicare and HMO reimbursement rates steadily decreasing, agencies providing emergency medical transport must adjust their fees to offset these losses in revenue and maintain the quality of services they provide.

Staff was directed to return with more detailed information on the matter.

800  
Vehicle License  
Fee Gap

Mr. Hanway, Financial Services Director, reported that during the time period between the suspension of the Vehicle License Fee (VLF) offsets in June 2003 and the implementation of higher fees in October 2003, approximately \$1.2 billion was not received by local governments and is still owed them by

the State (the VLF Gap Repayments). He noted that the City's share of the VLF Gap Repayment is \$1,771,985.85 (the VLF Receivable). He explained that the VLF Program was instituted by the California Statewide Communities Development Authority (CSCDA) in 2004 to enable cities and counties to sell their respective VLF Receivables to CSCDA for an up-front fixed purchase price estimated to be 92 percent to 96 percent of the VLF Gap Repayments. He stated that CSCDA is planning to issue taxable and/or tax-exempt notes (VLF Notes) and to use the note proceeds to purchase the VLF Receivables and pay financing costs. He added that the actual purchase price of the VLF Receivables will depend on the total amount of VLF Receivables that cities and counties sell to CSCDA and on bond market conditions at the time the VLF Notes are priced. He stated that if the City sells its VLF Receivable under the VLF Program, CSCDA will pledge the City VLF Receivable to secure the repayment of a corresponding portion of the VLF Notes. He noted that the City's sale of its VLF Receivable will be irrevocable and bondholders will have no recourse to the City if the State does not make the VLF Gap Repayment.

Mr. Hanway informed the Council that participating in the VLF Program allows the City to receive a discounted repayment of the \$1,771,985.85 receivable. He stated that assuming that the discount is a reasonable amount, staff believes that it makes sense to shift the repayment risk to the loan program. He explained that should the State of California delay the scheduled August 2006 repayment this risk will be absorbed by the credit enhancer and investments of the VLF loan pool. He added that the City has elected to have its VLF Receivable purchased on a tax-exempt basis in order to finance capital improvement costs (hard and soft costs) for the Community Services Building. He noted that tax-exempt financing is expected to lower the interest costs on the VLF Notes, thus enabling CSCDA to potentially pay a higher purchase price for the City's VLF Receivable by approximately two percent.

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

800 RESOLUTION NO. 26,912:  
 Vehicle License A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Fee Gap APPROVING THE FORM OF AND AUTHORIZING THE  
 EXECUTION AND DELIVERY OF A PURCHASE AND SALE  
 AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO  
 THE SALE OF THE SELLER'S VEHICLE LICENSE FEE  
 RECEIVABLE FROM THE STATE; AND DIRECTING AND  
 AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION

2/15/05

THEREWITH.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Member Golonski.

Absent: Council Members None.

12:17 A.M.  
Reconvene  
Redev. Agency,  
Housing  
Authority,  
Parking  
Authority and  
YES Fund Board  
Meetings  
Final Open  
Public Comment  
Period of Oral  
Communications

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

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, the meeting was adjourned at 12:17 a.m.

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City Clerk

APPROVED AUGUST 9, 2005

Mayor of the Council  
of the City of Burbank