

TUESDAY, MARCH 22, 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 5:43 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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.

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

5:44 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 Legal Counsel – Anticipated Litigation (City as potential defendant):

Pursuant to Govt. Code §54956.9(b)(1)

**Number of potential case(s): 1**

b. Public Employee Performance Evaluation:

Pursuant to Govt. Code §54957

**Title of Employee's Position:** City Attorney.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:42 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 Ms. Wyatt, Information Technology Director.

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.

406 Airport Authority Meeting Report	Commissioner Brown reported on the Airport Authority meeting of March 21, 2005. He stated that the Authority approved an agreement with KSG Consulting Engineers in the amount of \$90,400 for consultant services for improvements to the High Voltage Electrical Distribution System which serves the passenger terminal.
Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council 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, on Airport issues; Cynthia Cavanaugh, Friends of the Burbank Animal Shelter, giving an update on events at the Burbank Animal Shelter; Phil Berlin, on projected growth in commercial aviation; Rose Prouser, on campaign contributions; Mark Barton, on the Burbank Civic Plaza development; Eden Rosen, on traffic issues at Clark Avenue and Victory Boulevard; Molly Hyman and Stan Hyman, on the provisions of Government Code Section 1090 and conflict of interest issues; Howard Rothenbach, on a new hybrid locomotive; and, Mark Stebbeds, on the contents of the Citywide newsletter and campaign contributions.
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: Don Elsmore, on Airport issues; Phil Berlin and David Piroli, on Airport issues and the contents of the Citywide newsletter; Rose Prouser, on campaign contributions; Eden Rosen, on affordable housing and Airport issues; Stan Hyman and Mark Barton, on Airport issues; Mark Stebbeds, on the contents of the Citywide newsletter; Howard Rothenbach, on affordable housing and the Charter Review Committee; Theresa Karam, on the election campaigns; and, Molly Hyman, on the contents of the Citywide newsletter and Airport issues.

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

Jt. Mtg. with Redevelopment Agency 906 Affordable Housing Goals Mrs. Leyland, Senior Redevelopment Project Manager, Community Development Department, requested Council/Redevelopment Agency Board direction on whether to schedule a joint study session with the Planning Board to discuss the City's progress toward achieving its affordable housing goals. She stated that if so directed, staff will provide a comprehensive report on all of the City's affordable housing efforts, including proposed opportunities such as the development of an Inclusionary Housing Ordinance and possible modifications to the Mortgage Assistance Program.

The Council directed that the study session be incorporated into the Annual Council Goal Setting Workshop which will be held on May 7, 2005.

Jt. Mtg. with Housing Authority 906 Public Housing Agency Five-Year Plan Ms. Carter, Interim Housing Administrator, Burbank Housing Authority, stated that on February 15, 2005, the draft Public Housing Authority Five-Year Plan and the Annual Plan were presented to the Council/Housing Authority Board for consideration. She noted that in response to staff's proposal to adjust Burbank's housing assistance payment standard, additional information was requested on the following: update on Section 8 waiting list purge process; Section 8 tenant income profile; and, fair market rent standards; and, 4) Section 8 funding options.

Ms. Carter reported that staff sent out update letters to the entire 8,700 waiting list households and the list is currently being updated with at least 1,303 letters returned undeliverable. She added that based on the low tenant turn-over coupled with ongoing updates to keep contact and preference information current, staff opines that purging the list every 24 months as currently defined in the Housing Authority Administrative Plan is adequate.

In terms of program participant incomes, Ms. Carter reported that the average annual household income ranges from \$9,630 per year for a studio unit with no bedroom to \$19,337 annually for a three-bedroom unit. She noted that this range results in an overall program average income of \$14,088. She added that if the Section 8 payment standard is maintained at 110 percent all program reserves will be exhausted in less than 12 months.

She explained that the per-household subsidy is based on the HUD-established fair market rent standards and as that component increases, the gap between what the tenants pay (Section 8 subsidy) also increases. She noted that based on program statistics as of February 2005, setting the payment standards at 90 percent of the fair market rent would ultimately result in an average per-household subsidy decrease of \$104 per month for approximately 34 percent of the program participants or 340 households. She added that while this amount represents the average monthly impact, the actual range is \$70 for a studio unit to \$157 for a three-bedroom unit.

Ms. Carter also reported that staff was asked to identify other funding sources to augment the Section 8 HUD allocation. She explained that while the Federal HOME Program guidelines allow for rental subsidies and California Redevelopment Law also allows the Redevelopment Agency to exercise any or all of its powers to provide affordable housing (including the provision of rental subsidies), in accordance with the HUD Section 8 guidelines, the "layering" of other funds with the Section 8 Federal allocation is prohibited. Therefore, even though both Federal HOME Program guidelines and California Community Redevelopment Law have provisions that allow rental subsidy programs, such programs would have to be structured and administered separately from the Section 8 Program.

Ms. Carter informed the Council that the primary goal of the Housing Authority is to assist the greatest number of families or households within the HUD-allocated budget, utilizing all 1,014 housing assistance vouchers available to Burbank while staying within the HUD-allocated funding with no reliance on the General Fund for assistance. She added that should the proposed payment standard be approved, the 340 households would be given a two-year notice period prior to increasing the rents in Fiscal Year 2006-07.

Mr. Vander Borcht was supportive of the 90 percent payment standard but supported purging the list more frequently than every two years to allow for more applicants.

Housing  
Authority Reso.  
Adopted

Housing Authority Resolution No. H-186 Approving the Five Year Public Housing Agency Plan and the Public Housing Agency Plan and the Public Housing Agency Annual Plan for Fiscal Year 2005-06 and Authorizing the Chairperson and Executive Director to Execute the Certifications Required by the United States Department of Housing and Urban Development.

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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."

1301-3 RESOLUTION NO. 26,930:  
Partial Final A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Closure of the APPROVING AND ADOPTING CONTRACT DOCUMENTS,  
Front Face Area PLANS AND SPECIFICATIONS, AND DETERMINING THE  
Of Landfill No. 3 LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND  
(B.S. 1175) AUTHORIZING EXECUTION OF A CONTRACT FOR THE  
PARTIAL FINAL CLOSURE OF THE FRONT FACE AREA OF  
BURBANK LANDFILL NO. 3, BID SCHEDULE NO. 1175.

1301-3 RESOLUTION NO. 26,931:  
Magnolia Blvd. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Imp. Project AUTHORIZING EXECUTION OF A PROGRAM SUPPLEMENT  
(B.s. 1144) AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF  
TRANSPORTATION FOR THE FUNDING OF BID SCHEDULE NO.  
1144 (MAGNOLIA BOULEVARD IMPROVEMENT PROJECT).

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Murphy.

203-2 Mrs. Campos, City Clerk, requested the Council make an  
Traffic and appointment from the qualified applicants to fill one vacancy  
Transportation of an unexpired term on the Traffic and Transportation  
Committee Committee, ending on June 1, 2006. She reported that the  
Appointment Traffic and Transportation Committee consists of ten  
members, with five members appointed by the Council and the  
remaining five members appointed as follows: one  
representative each from the City Manager's Office, Public  
Works Department, Police Department, Community  
Development Department and the Superintendent of the  
Burbank Unified School District. She stated that there is  
currently one vacancy on this Committee created by the  
resignation of Board Member Christopher Wiard. She informed  
the Council that the City Clerk's office began advertising for  
this vacancy with the issuance of a press release on January  
18, 2005 and that notice was also placed on the City's

website and the Channel 6 Scroll. She noted that as of the Friday, March 11, 2005 deadline, applications were received from: Joseph M. Spaulding; Gregory B. Scher; and, Donald D. Farquhar.

Mr. Vander Borght suggested appointing all three applicants, citing their expertise.

Staff was directed to return with board composition or appointment options prior to the June 1, 2006 expiration date.

Motion It was moved by Mr. Vander Borght, seconded by Mr. Campbell and carried with Ms. Murphy absent that "Joseph M. Spaulding, Gregory B. Scher and Donald D. Farquhar be appointed to the unexpired term ending June 1, 2006."

203 Ms. Dolan, Administrative Analyst, City Manager's Office, Charter Review Committee reported that in April 2002, the Council directed staff to advertise for a Charter Review Committee comprised of 11 members. She stated that staff followed up this initial advertisement with a significant outreach program in July 2003 to attract additional applicants and to date, the City has received 21 applications.

Ms. Dolan added that staff is now requesting Council direction regarding the appointment and structure of a Charter Review Committee. She noted that should the Council decide to convene a Charter Review Committee, staff recommends that the Committee be made up of one member selected from among all qualified electors by each Council Member for a total of five, plus six members selected from the applicant pool through a vote of the Council following applicant interviews to be held at an upcoming Council meeting. She added that staff also recommends that the Council appoint the Committee Chair at the same time the Council selects and/or votes on the Committee membership and that the quorum of the Committee be adjusted in the event that members leave so as to allow the Committee to continue its work while the Council seeks replacements.

Finally, Ms. Dolan requested that the City select a qualified consultant to assist the Committee with its work and staff in compiling proposed Charter amendments into a work plan that will be reviewed and evaluated by the Committee. She noted that such a work plan will provide initial direction and structure to the Committee meetings.

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9:25 P.M. Reconvene Redev. Agency and Housing Authority Meetings	It was the Council's consensus to proceed with staff's recommendations. The Redevelopment Agency and Housing Authority meetings were reconvened at this time.
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: Dennis O'Brien, commending the Council for increasing the membership on the Traffic and Transportation Committee and commenting on the upcoming election; Theresa Karam, on pending litigation; and, David Piroli, on Airport issues.
Staff Response	Members of the Council and staff responded to questions raised.
301-2 Memorial Adjournment	There being no further business to come before the Council, the meeting was adjourned at 9:34 p.m. in memory of Sunday Alexis Henig.

Margarita Campos, CMC  
City Clerk

APPROVED AUGUST 16, 2005

Mayor of the Council  
of the City of Burbank