

TUESDAY, MAY 10, 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 5:09 p.m. by Mr. Vander Borght, Mayor.

CLOSED SESSION

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

5:09 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 – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)
  1. **Name of Case:** City of Burbank v. Hartford Casualty Insurance Company.  
**Case No.:** CV 047184 RGK (FMOx)  
**Brief description and nature of case:** City's Claim for Insurance Defense for Metrolink Cases.
  2. **Name of Case:** Nongpanga v. City of Burbank.  
**Case No.:** 04C01741  
**Brief description and nature of case:** Automobile accident with police car.
  3. **Name of Case:** Fleischer v. City of Burbank.  
**Case No.:** EC036620  
**Brief description and nature of case:** Trip and fall that occurred at 139 South Avon Street.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 1
- c. Conference with 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

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Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.

**Summary of Labor Issues to be Negotiated:** Current Contracts and Retirement Issues.

Regular Meeting Reconvened in Council Chambers      The regular meeting of the Council of the City of Burbank was reconvened at 6:51 p.m. by Mr. Vander Borght, Mayor.

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

Flag Salute      The pledge of allegiance to the flag was led by Elaine Paonessa.

**ROLL CALL**

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

Absent - - - -      Council Members None.

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

301-1 Outstanding Compliance for Industrial Waste Dischargers      Mr. Feng, Deputy City Manager/Public Works and Capital Projects, briefly described the Industrial Pretreatment Program. Bonnie Teaford, Chief Assistant Public Works Director/City Engineer, introduced Jeff Carter and Arsen Sanasaryan, inspectors with United Water Services, Inc., the City's contract operator for the Burbank Reclamation Plant. She assisted Mayor Vander Borght in presenting Certificates of Recognition to the following companies for their excellent compliance with Burbank's Industrial Pretreatment Program and outstanding commitment to protecting the environment in the Burbank community: Accessory Plating/1928 Jewelry Co., jewelry manufacturer; Aluminum Dip Braze, aluminum brazing; Ascent Media Laboratories, film processing; Aurofin OroAmerica, Inc., jewelry manufacturer; Carter Plating Company, metal plating; Foto-Kem/Fototronics, film processing; Isotope Products Laboratories, supplier of radioactive sources; Technical Metal Finishing Co, anodizing; and, Uniplate Inc., metal plating.

301-1 Older Americans Month      Mayor Vander Borght presented a proclamation in honor of Older Americans Month to Forrest Barker, Chair of the Burbank Senior Citizen Board.

301-1 Older American      Mayor Vander Borght presented Mayor's Commendations to recipients of the Older American Volunteer Service Awards.

- Volunteer Service Awards      Gay Maund, Chair of the Older American Volunteer Service Award Selection Committee, introduced the following awardees: Claudia Bonis; Doris Crutcher; Millie Engel; Irene Kunze; Shirley Martin; Frank Nay; and, Elaine Paonessa, receipt of the Los Angeles County Outstanding Older American Award.
- 301-1 Building Safety Week      Mayor Vander Borcht presented a Proclamation in honor of Building Safety Week to John Cheng, Building Official, and Tom Sloan, Principal Plan Check Engineer, Community Development Department.
- 7:32 P.M. Hearing 1411-1 Reso. to Vacate V-369 (Crown 725 Assoc.)      Mayor Vander Borcht stated that "now is the time and place for the hearing ordering the conditional vacation of a portion of an alley adjacent to Elmwood Street; and Elmwood Street, located West of San Fernando Boulevard and South of Cedar Avenue, and reserving a public utility easement over the entire vacated area (V-369)."
- 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. Garcia, Redevelopment Analyst, Community Development Department, requested the Council consider a conditional street vacation. He noted that the applicant, Crown 725 Associates LLC, owner of the property on either side of Elmwood Avenue, is requesting a vacation of a portion of Elmwood Street located west of San Fernando Boulevard and south of Cedar Avenue.
- Mr. Garcia informed the Council that the proposed portion of Elmwood Avenue to be vacated no longer serves a public purpose since the applicant owns the surrounding parcels. He added that there is no public pedestrian or vehicular traffic along this portion of Elmwood Avenue or in the alley portion to the rear which was retained for turn-around purposes. He reported that all appropriate City departments and outside utility agents have reviewed the proposed vacation and that the Gas Company and Pacific Bell have requested a permanent utility easement.
- Hearing Closed      There being no response to the Mayor's invitation for oral comment, the hearing was declared closed.

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7:35 p.m.  
Mrs. Ramos Left  
the Meeting

Mrs. Ramos left the Council Chamber at this time.

Motion

It was moved by Mr. Golonski and seconded by Ms. Murphy that "the following resolution be passed and adopted:"

1411-1  
Reso. to Vacate  
V-369 (Crown  
725 Assoc.)

RESOLUTION NO. 26,964:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE CONDITIONAL VACATION OF A PORTION OF AN ALLEY ADJACENT TO ELMWOOD STREET; AND ELMWOOD STREET, LOCATED WEST OF SAN FERNANDO BOULEVARD AND SOUTH OF CEDAR AVENUE (V-369).

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Ramos.

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

Mr. Vander Borght called for speakers for the initial open public comment period of oral communications at this time.

7:37 p.m.  
Mrs. Ramos  
Returned to the  
Meeting

Mrs. Ramos returned to the Council Chamber.

Citizen  
Comment

Appearing to comment were: Eden Rosen, on affordable housing criteria, agenda format and oral communications; Dr. David Gordon, showing a videotape of a previous Council meeting on the oral communications format; Mark Stebbes, on an apartment development being built in Los Angeles on Burbank's border and its impacts on Burbank; David Piroli, on oral communications criteria; Mark Barton, showing a

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|                                 | videotape on design consultation; Theresa Karam, on the cost of depositions in the case of Karam v. City of Burbank; and, Esther Espinoza, on oral communications criteria.   |
| Staff Response                  | Members of the Council and staff responded to questions raised.   |
| Agenda Item Oral Communications | Mr. Vander Borght called for speakers for the agenda item oral communications at this time.   |
| Citizen Comment                 | Appearing to comment in support of their applications to serve on a board, commission or committee were: Dan Humfreville; Susan Widman; Emma Kurdian; Robert Mills; Eileen Cobos; Claudia Bonis; Garen Yegparian; Emily Gabel-Luddy; and, Martin Adams. Also appearing to comment were: Eden Rosen, on board, commission and committee appointments; Dr. David Gordon, on the responsibilities of appointees to boards and commissions; Dr. Theresa Karam, on the responsibilities of the Police Commission; Mark Barton, in support of Mr. Cusumano's application to serve on a board; Howard Rothenbach, in support of Assembly Joint Resolution 18; David Piroli, requesting the Council extend the application period for Airport Authority Commission; Mike Nolan, on the criteria to serve on boards and commissions, employee negotiations and Police recruitment issues; and, Esther Espinoza, on appointments to boards, commissions and committees. |
| Staff Response                  | Members of the Council and staff responded to questions raised.   |
| 8:36 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 8:38 p.m. with all members present.   |
| Motion                          | It was moved by Mr. Campbell and seconded by Ms. Murphy 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 March 31, 2005 was noted and ordered filed.   |

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403  
Assembly Joint  
Resolution 18

A report was received from the Community Development Department requesting Council consideration of support for Assembly Joint Resolution (AJR) 18 which opposes the United States (U.S.) Department of Transportation's zero funding proposed budget for Amtrak in Fiscal Year 2006.

The report indicated that the U.S. Department of Transportation has introduced a reform proposal to Congress regarding the restructuring of Amtrak. It was stated that the Passenger Rail Investment Reform Act introduces a zero funding proposed budget in 2006 for Amtrak, eliminating \$1.2 billion in Federal funds for Amtrak and making key reforms by: 1) transitioning Amtrak into a purely operating company; 2) creating a Federal and State partnership to support passenger rail; 3) introducing market-based competition to the system; and, 4) setting up a service to maintain the Northeast Corridor (NEC) which is the most heavily used.

It was further reported that Assembly Members Jones and Leslie, and Senators Kehoe, Maldonado and Ducheny, have consequently introduced AJR 18 which advocates for Congressional action that would provide adequate operating and capital funding for Amtrak, preserve and improve the four national network Amtrak trains serving California and establish a multi-year capital funding program to match State expenditures to improve services.

The report noted that currently, AJR 18 has been referred to the State Committee on Transportation which will consider this item at their May 2, 2005 hearing to decide whether to: 1) approve the resolution as it stands; 2) request amendments before approving the resolution; or, 3) deny the resolution. Pending Committee approval, AJR 18 will then go to the Governor for approval or denial. Staff recommended that the Council consider support for AJR 18 either at the Committee level or with a letter urging the Governor to sign the resolution.

Staff was directed to send letters in support of AJR 18 to both the Committee and Governor.

703  
Clean Water,

RESOLUTION NO. 26,965:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK

Air, Safe  
 Neighborhood  
 Parks Bond Act  
 Of 2002  
 (Roberti-Z'Berg-  
 Harris Block  
 Grant)

AUTHORIZING THE PARKS, RECREATION AND COMMUNITY SERVICES DIRECTOR TO APPLY FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002.

703  
 Clean Water,  
 Air, Safe  
 Neighborhood  
 Parks Bond Act  
 Of 2002  
 (Per Capita  
 Grant)

RESOLUTION NO. 26,966:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE PARKS, RECREATION AND COMMUNITY SERVICES DIRECTOR TO APPLY FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002.

804-3  
 Amateur  
 Athletic  
 Foundation  
 Grant

RESOLUTION NO. 26,967:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF BURBANK AND THE AMATEUR ATHLETIC FOUNDATION OF LOS ANGELES FOR THE PURPOSE OF EQUIPMENT AND SALARY SUPPORT OF THE SWIM TEAM AND WATER POLO PROGRAMS.

1205-2  
 Summary  
 Vacation V-372  
 (1720 W. Clark)

RESOLUTION NO. 26,968:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE SUMMARY VACATION OF A PUBLIC SERVICE EASEMENT AT 1720 WEST CLARK AVENUE, BURBANK, CALIFORNIA (V-372).

Adopted

The consent calendar was adopted by the following vote:

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

202  
 203  
 City Boards,  
 Commissions  
 and Committees

Mrs. Campos, City Clerk, requested the Council make appointments from the qualified applicants to fill vacancies on the identified boards, commissions and committees with members whose terms expire June 1, 2005. She stated that on March 30, 2005, the City Clerk's Office began advertising and accepting applications for vacancies created by the June 1, 2005 term expirations on various City boards, commissions

and committees, with the deadline to submit applications to the City Clerk's Office being Friday, April 29, 2005 at 5:00 p.m.

Mrs. Campos noted that all board, commission and committee members serve without compensation from the City and cannot serve on more than one board, commission or committee established by the Burbank Municipal Code at the same time. In addition, she stated that any appointed member must be an elector of, and actually reside in, the City of Burbank.

Mrs. Campos explained that the application process allows each applicant to select three choices should they desire; therefore, those applicants who applied for more than one board, commission or committee have their priority selection listed next to their name. She also noted that the Council voted based on the number of vacancies on the board, commission or committee but said Council Members were not obligated to vote the allowed number of times.

Mrs. Campos reported that as a result of the random drawing, the following order was being presented to the Council for voting: **Board of Building and Fire Code Appeals** (3 vacancies) – Charles H. Johnson, Roger A. Cusumano, Kenneth H. San Miguel, Robert Mills and Victor A. Taracena; **Board of Library Trustees** (3 vacancies) – Janice Lin, Cele Burke, Mary D. Beaumont, Larry H. Johnson and Lori Tubert; **Burbank-Glendale-Pasadena Airport Authority** (3 vacancies) – Charlie A. Lombardo, William Wiggins and Don Brown; **Civic Pride Committee** (6 vacancies) – Nikki Capshaw, Lisette P. Castaneda, Ellie D. Myer, Roy E. Kokoyachuk, Robert V. Idavia, Louise M. Paziak, Eileen Cobos, Lisa Lonsway, Sonia B. Peltekian, Linda F. Silvas and Joan L. Chandler; **Civil Service Board** (3 vacancies) – Nance Walker-Bonnelli, Linda E. Barnes, Susan C. Widman, Malcolm A. Kelman, Jesse E. Fox and Matthew E. Doyle; **Park, Recreation and Community Services Board** (3 vacancies) – Terre A. Hirsch, Janet E. Diel, Lisette P. Castaneda, Nikki Capshaw, Todd A. Layfer, Jess A. Talamantes, Garen V. Yegparian, Sam Asheghian, Gary R. Bric and Michael Gutierrez; **Youth Endowment Services Fund Advisory Committee** (4 vacancies) – Michael Gutierrez, Randel H. Holman, Joan L. Chandler, Anja Reinke, Michael F. Napolitano, Scott E. Talamantes, Linda L. Walmsley and Lori Tubert; **Planning Board** (3 vacancies) – Emily J. Gabel-Luddy, Emma M. Kurdian, Daniel D. Humfreville, Kenneth H. San Miguel, Victor A. Taracena, Randel H. Holman, Charles H. Johnson and Gregory A. Jackson; **Police Commission** (3 vacancies) – Claudia Bonis, Todd A. Layfer, Joseph A. Gunn, Gordon Bowers, Sam K. Asheghian, Christyann Evans, Lori



Tubert, Anja Reinke, Jesse E. Fox, Dr. Keith D. Sanneman and Kirk J. Bowren; **Burbank Water and Power Board** (3 vacancies) – Charles H. Johnson, Martin L. Adams, Nance Walker-Bonnelli, Thomas A. Jamentz and Robert A. Olson; **Traffic and Transportation Committee** (2 vacancies) – Sam K. Asheghian, Mike Chapman and Gary R. Bric; and **Transportation Commission** (3 vacancies) – Janet E. Diel, Dr. Keith Sanneman, Anja Reinke and Lucy M. Burghdorf.

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| Procedure  | The Council voted on each board, commission and committee separately, and at the conclusion of the open voting, the following individuals were appointed to serve on the respective board, commission or committee, for terms expiring June 1 of the year indicated, unless otherwise specified. |
| 202-6<br>Planning<br>Board                                       | For the Planning Board, the Council made the following selections: Emily J. Gabel-Luddy (2009), Daniel D. Humfreville (2009), and Gregory A. Jackson (2009).   |
| 202-5<br>Park, Recreation<br>And Community<br>Services Board     | For the Park, Recreation and Community Services Board, the Council made the following selections: Todd A. Layfer (2009), Jess A. Talamantes (2009), and Garen V. Yegparian (2009).   |
| 202-1<br>Board<br>of<br>Building and Fire<br>Code<br>Appeals     | For the Board of Building and Fire Code Appeals, the Council made the following selections: Charles H. Johnson (2009), Kenneth H. San Miguel (2009), and Robert E. Mills (2009).   |
| 202-4<br>Board of Library<br>Trustees                            | For the Board of Library Trustees, the Council made the following selections: Janice Lin (2009), Cele Burke (2009), Mary D. Beaumont (2009), Larry H. Johnson (2009), and Lori Tubert (2009).  |
| 406<br>Burbank-<br>Glendale-<br>Pasadena<br>Airport<br>Authority | For the Burbank-Glendale-Pasadena Airport Authority, the Council made the following selections: Charlie A. Lombardo (2009), William Wiggins (2009), and Don Brown (2009).  |
| 203-3<br>Civic Pride<br>Committee                                | For the Civic Pride Committee, the Council made the following selections: Ellie D. Myer (2007), Robert V. Idavia (2007), Louise M. Paziak (2007), Eileen Cobos (2007), Lisa Lonsway  |

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- (2007), and Linda Silvas (2007).
- 202-2  
Civil Service  
Board For the Civil Service Board, the Council made the following selections: Nance Walker-Bonnelli (2009), Susan C. Widman (2009), and Matthew E. Doyle (2009).
- 203-5  
Youth  
Endowment  
Services Fund  
Advisory  
Committee For the Youth Endowment Services Fund Advisory Committee, the Council made the following selections: Michael Gutierrez (2009), Joan L. Chandler (2009), Michael F. Napolitano (2009), and Linda L. Walmsley (2009).
- 202-7  
Police  
Commission For the Police Commission, the Council made the following selections: Claudia Bonis (2009), Joseph A. Gunn (2009), and Anja Reinke (2009).
- 202-8  
Burbank Water  
And Power  
Board For the Burbank Water and Power Board, the Council made the following selections: Martin L. Adams (2009), Thomas A. Jamentz (2009), and Robert A. Olson (2009).
- 203-2  
Traffic and  
Transportation  
Committee For the Traffic and Transportation Committee, the Council made the following selections: Sam K. Asheghian (2007) and Gary R. Bric (2007).
- 202-12  
Transportation  
Commission For the Transportation Commission, the Council made the following selections: Janet E. Diel (2009), Dr. Keith Sanneman (2009), and Lucy M. Burghdorf (2009).
- 9:12 P.M.  
Recess The Council recessed at this time. The meeting reconvened at 9:31 p.m. with all members present.
- 801-2  
FY 2005-06  
Budget Study  
Session Mr. Hanway, Financial Services Director, gave an overview of the budget study sessions and noted changes to the proposed Fiscal Year 2005-06 budget since the April 19, 2005 study session. He stated that there were no changes to the General Fund recurring revenues; however, changes in the recurring appropriations amounted to a recurring deficit of \$578,000 to be covered by the Public Employee Retirement System Stabilization Fund. He also noted changes to the non recurring appropriations, including: addition of a one-time appropriation for the modular building lease; reinstatement of

the GAP officer position; correction of the Pension Obligation Bond appropriation; changes to the Police and Fire personnel overtime account; and, elimination of the City's contribution to the Redevelopment Agency, resulting in a net appropriation increase of \$390,000.

Mr. Hanway also noted the increases in the departmental Non-Discretionary Materials, Supplies and Services Accounts which are a result of increases in the Internal Service Funds and Utility Accounts.

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| City Attorney's Office                             | Mr. Barlow, City Attorney, presented the proposed Fiscal Year 2005-06 budget for the City Attorney's Office.  |
| City Treasurer's Office                            | Ms. Anderson, City Treasurer, presented the proposed Fiscal Year 2005-06 budget for the City Treasurer's Office.  |
| City Clerk's Office                                | Mrs. Campos, City Clerk, presented the proposed Fiscal Year 2005-06 budget for the City Clerk's Office.   |
| Community Development Department                   | Mrs. Georgino, Community Development Director, presented the proposed Fiscal Year 2005-06 budget for the Community Development Department.                                  |
| Information Technology Department                  | Ms. Wyatt, Information Technology Director, presented the proposed Fiscal Year 2005-06 budget for the Information Technology Department.                                    |
| Library Services Department                        | Mrs. Cohen, Library Services Director, presented the proposed Fiscal Year 2005-06 budget for the Library Services Department.   |
| Public Works Department                            | Mr. Feng, Assistant City Manager/ Public Works and Capital Projects, presented the proposed Fiscal Year 2005-06 budget for the Public Works Department.                     |
| Park, Recreation And Community Services Department | Mr. Hansen, Park, Recreation and Community Services Director, presented the proposed Fiscal Year 2005-06 budget for the Park, Recreation and Community Services Department. |

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11:53 P.M.            The Redevelopment Agency, Housing Authority, Parking  
Reconvene            Authority and Youth Endowment Services Fund Board  
Redev. Agency,       meetings were reconvened at this time.  
Housing  
Authority,  
Parking  
Authority and  
YES Fund Board  
Meetings

Final Open            Mr. Vander Borgh called for speakers for the final open public  
Public Comment      comment period of oral communications at this time.  
Period of Oral  
Communications

Citizen                Appearing to comment was Mike Nolan, on oral  
Comment               communications criteria.

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

301-2                    There being no further business to come before the Council,  
Memorial               the meeting was adjourned at 11:56 p.m. in memory of Allan  
Adjournment            Wilson.

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Margarita Campos, CMC  
City Clerk

APPROVED AUGUST 30, 2005

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Mayor of the Council  
of the City of Burbank