

TUESDAY, JUNE 7, 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 5:40 p.m. by Mr. Vander Borght, Mayor.

CLOSED SESSION

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

Absent - - - - Council Member Ramos.

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

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

Citizen Comment Appearing to comment was Connie Rush, resident at 3300 Brace Canyon Road, on landslide issues.

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 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:** Contracts and Retirement Issues.
- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s):** 3
- c. Conference with Legal Counsel – Legal Counsel:  
Pursuant to Govt. Code §54956.9(a)  
**Name of Case:** Franco v. City of Burbank.  
**Case No.:** CV-03-9283 MRP (Ex)  
**Brief description and nature of case:** Employment Litigation.

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Regular Meeting Reconvened in Council Chambers	The regular meeting of the Council of the City of Burbank was reconvened at 6:46 p.m. by Mr. Vander Borght, Mayor.
Invocation	The invocation was given by Reverend Ron White, American Lutheran Church.
Flag Salute	The pledge of allegiance to the flag was led by Sam Engel, Chair of the Pause for the Pledge of Allegiance Committee.
ROLL CALL	
Present- - - -	Council Members Campbell, Golonski, Murphy, Ramos (arrived at 7:50 p.m.) and Vander Borght.
Absent - - - -	Council Members None.
Also Present -	Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.
301-1 Dr. Martin Small	Mayor Vander Borght recognized and presented a Mayor's Commendation to Dr. Martin Small, DVM, for his outstanding volunteer efforts at the Burbank Animal Shelter.
301-1 Leadership Burbank Graduates	Dr. Greg Bowman, Superintendent of the Burbank Unified School District, introduced the Leadership Burbank Class of 2005. Mayor Vander Borght presented Certificates of Recognition to the following graduates: Sam Asheghian; Susie Becken; Dev Birla; Claudia Bonis; Darrin Borders; Rebecca Chamaa; Mike Chapman; Christyann Evans; Dale Fontanez; Medik Ghazikhanian; Jeff Green; Barbara Howell; Jaimie Keyser; Carolyn Lawrence; Ryan Mills; Leana Mkrtychyan; Dennis O'Connor; Carolyn Scully; Susan Sebastian; Dan Soderstrom; Shannon Stevenson-Landon; Craig Varner; and, Terry Walker.
301-1 Flag Day	Mayor Vander Borght presented a proclamation in honor of Flag Day to Sam Engel, Chair of the Pause for the Pledge of Allegiance Committee. Mr. Engel invited members of the community to attend the Pause for the Pledge Ceremony scheduled for June 14, 2005 and described the annual patriotic poster contest, displaying the winning posters in the elementary, middle school and high school categories, as well as the computer-generated entry.

301-1  
2006 Rose Float  
Rendering

Teri Bastian, representing the Burbank Tournament of Roses Association, presented the trophy for the 2005 award-winning float entitled, "Dinner's On ... Fire," and displayed a rendering of the City's 2006 entry, entitled "Pachyderm Parade!"

7:50 P.M.  
Mrs. Ramos  
Entered the  
Chamber

Mrs. Ramos entered the Chamber at this time.

406  
Airport  
Authority  
Meeting Report

Commissioner Lombardo reported on the Airport Authority meeting of June 6, 2005. He stated that pursuant to a request by the Council, the Airport Authority postponed action on the proposed resolution for the Airport's emission policy related to the immediate placement of an order for five diesel buses.

Mark Hardymont, Director of Noise and Environmental Programs, gave a presentation on the Airport's bus needs and on the Heavy-Duty Vehicle Procurement Emissions Reduction Policy. Also, Erin Kassoy, Senior Engineer with Tiax LLC, discussed the technical background on the fleet options provided to Airport Authority staff.

The Council received the report.

8:01 P.M.  
Hearing  
801-2  
804-2  
Proposed FY  
2005-06 Annual  
Budget, Fee  
Schedule and  
Appropriations  
Limit

Mayor Vander Borcht stated that "this is the time and place for the hearing on the proposed budget for Fiscal Year 2005-06 for the City, Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund."

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

Justin Hess, Deputy Financial Services Director, presented the Proposed Fiscal Year (FY) 2005-06 Annual Budget, Citywide Fee Schedule and Appropriations Limit to the Council, Redevelopment Agency Board, Housing Authority, Parking

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Authority and Youth Endowment Services Fund Board for a public hearing and stated that the adoption of the FY 2005-06 budget will be considered by the Council at the June 14, 2005 Council meeting.

With a visual aid, Mr. Hess recapped that total resources amounted to \$490,767,816, of which \$122,777,878 is allocated to the General Fund. He added that total appropriations equaled \$472,258,528 with General Fund expenditures accounting for \$120,059,472. He then discussed the resources versus appropriations summary and the main components of the General Fund, including: a net increase of \$3.9 million for anticipated Memorandum of Understanding costs; a \$400,000 increase in the Internal Service Funds; and, noted that frozen positions were maintained to achieve a savings of \$2.1 million. He added that the major driving expenditures of the budget are Memorandum of Understanding increases and the Public Employee Retirement System (PERS) rate increases. He then recapped that the recurring deficit of \$348,471 would be balanced utilizing the PERS Stabilization Fund.

Mr. Hess also highlighted the one-time appropriations, including: \$100,000 for the PerformArts Grant Set Aside Fund; \$100,000 for the Code Enforcement Pilot Project; and, \$100,000 in additional funding for the sidewalk repair project, all funded from the Utility Users Tax and In Lieu Set Aside Account. He then discussed the notable Fee Schedule changes pertaining to the water rate, sewer rate and refuse rate. He also reported that the City's Gann Initiative Appropriations Limit was \$130,212,383 and the appropriations subject to the limit totaled \$95,157,444.

Citizen  
Comment

Appearing to comment were: Marilyn Momeny, Misha Shtangrud, Nancy Webster, Dennis C. Brown and William Kneisel, in support of the \$100,000 appropriation for the PerformArts Grant; P.J. Masters, on funds for mailing legal notices; and, Mike Nolan, on notification requirements to property owners, Transient Parking Tax increase, budget study session format and requested the Council's expense statements.

Hearing  
Closed

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

The Council received the report.

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 Borghht called for speakers for the initial open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment were: Beverly Nichter, on rental rates; Esther Espinoza, on the National Law Enforcement Officers Memorial Fund donation; Garen Yegparian, on the pending diesel bus purchase by the Airport Authority; Mark Barton, showing a videotape on the Burbank Civic Plaza exterior signage; and, Eden Rosen, on graffiti removal.
Staff Response	Members of the Council and staff responded to questions raised.
Agenda Item Oral Communications	Mr. Vander Borghht called for speakers for the agenda item oral communications at this time.
Citizen Comment	Appearing to comment were: Michael Hastings and Detective Joseph Dean, in support of the proposed National Law Enforcement Officers Memorial Fund donation; Henry Hogo, representing the Air Quality Management District, on emissions standards and urging the Airport Authority to purchase clean buses; Esther Espinoza, on the National Law Enforcement Officers Memorial Fund donation and on rent control; Mike Nolan, on the Airport Authority bus purchase; Mark Barton, on the Real Estate Open House Sign Ordinance; and, David Piroli, in support of the National Law Enforcement Officers Memorial Fund donation and on Compressed Natural Gas fuel prices.
Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Ms. Murphy and seconded by Mr. Campbell that "the following items on the consent calendar be approved as recommended."

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305-2  
2006 Rose  
Float Rendering

A report was received from the Park, Recreation and Community Services Department, on the Burbank Tournament of Roses Association's 2006 float entry, which marks the 59th consecutive float entry and the City's 71st float entry in the parade. The report indicated that the Burbank Tournament of Roses Association is a non-profit organization comprised entirely of volunteers. It was stated that Burbank is one of six remaining entities who enter self-built floats including California Polytechnic Universities (Pomona and San Luis Obispo) and the cities of Sierra Madre, South Pasadena, La Canada-Flintridge and Downey. It was reported that each year, the Association which is located in the Burbank Water and Power (BWP) Yard at 320 North Lake Street, is responsible for constructing and decorating a float to represent the City in the annual Pasadena Tournament of Roses Parade held every New Year's Day.

The report stated that the 117th Pasadena Tournament of Roses Parade theme is, "It's Magical" and that in February 2005, parade officials approved the theme and conceptual design for the 2006 City of Burbank parade float entry titled, "Pachyderm Parade!". It was reported that the float concept was submitted by Ric Scozzari of Burbank and John Cappi of Reseda. It was noted that in order to commence production and funding of the float, the agreement between the City and the Burbank Tournament of Roses Association calls for the approval of the parade float theme and conceptual design by the Council.

The Council approved the 2006 Tournament of Roses float rendering.

405-2  
1503  
Interconnection/  
Interchange  
Agmt. with  
Glendale

RESOLUTION NO. 26,991:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED INTERCONNECTION/ INTERCHANGE AGREEMENT BETWEEN THE CITY OF BURBANK AND THE CITY OF GLENDALE.

Adopted

The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

202-11  
Landlord-Tenant  
Commission  
Appointment

Mrs. Campos, City Clerk, requested the Council make an appointment from two qualified applicants to fill one term on the Landlord-Tenant Commission ending on June 1, 2005. She reported that at the May 31, 2005 Council meeting, five applications were considered to fill three vacancies, and following a vote of the Council, Molly Shore and Alma Briseno were appointed to fill two of the three vacancies, but the Council deadlocked on a 2-2 vote between Janis Bunch and Maria Gonzalez-Romano for the third appointment. She noted that staff was directed to present this appointment for full Council consideration.

Following a vote of the Council, Maria Gonzalez-Romano was appointed to a four-year term on the Landlord-Tenant Commission ending June 1, 2009.

907  
Donation to the  
National Law  
Enforcement  
Officers  
Memorial Fund

Ms. Dolan, Administrative Analyst, City Manager's Office, presented a request by Mayor Vander Borcht for the Council to consider a donation to the National Law Enforcement Officers Memorial Fund for the construction of a museum. She reported that the memorial was dedicated in 1991 and pays tribute to all law enforcement officers who have lost their lives in the line of duty and added that plans are currently underway to create a National Law Enforcement Museum at the site of the memorial. She noted that the museum will tell stories of the thousands of officers included on the memorial, including Matthew Pavelka, Burbank's own police officer who was killed in November 2003.

Ms. Dolan informed the Council that at the request of the National Law Enforcement Officers Memorial Fund, the Burbank Police Officers Association (BPOA) is organizing an event to raise funds for the museum. She stated that the event, entitled "An Evening of Respect," will be held on July 9, 2005 at the Los Angeles Equestrian Center with a goal of raising \$100,000. She noted that all proceeds will be forwarded to the BPOA which will present the contributions to the National Law Enforcement Officers Memorial Fund.

Motion

It was moved by Mrs. Ramos, seconded by Mr. Campbell and carried that "\$10,000 be donated to the National Law Enforcement Memorial Fund."

Ordinance  
Submitted

It was moved by Ms. Murphy and seconded by Mr. Campbell that "Ordinance No. 3672 be read for the second time by title

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604  
Real Estate  
Open House  
Signs

only and be passed and adopted." The title to the following ordinance was read:  
ORDINANCE NO. 3672:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING ORDINANCE NO. 3641 TO ELIMINATE THE SUNSET PROVISION OF THE TEMPORARY "OPEN HOUSE" REAL ESTATE SIGNS ORDINANCE.

Adopted

The ordinance was adopted by the following vote:

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

Ordinance  
Submitted

It was moved by Ms. Murphy and seconded by Mr. Campbell that "Ordinance No. 3673 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

206  
Bike Paths, Bike  
Trails, Bikeways,  
Equestrian,  
Hiking & Rec.  
Trails

ORDINANCE NO. 3673:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ADDING ARTICLE 28, SECTION 29-2704 TO CHAPTER 20 OF THE BURBANK MUNICIPAL CODE ESTABLISHING THE RULES OF THE ROAD FOR PEDESTRIAN AND BICYCLE FACILITIES, INCLUDING BUT NOT LIMITED TO SIDEWALKS, BICYCLE PATHS, BICYCLE TRAILS, BIKEWAYS, EQUESTRIAN TRAILS, HIKING AND RECREATION TRAILS.

Adopted

The ordinance was adopted by the following vote:

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

9:50 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.



Final Open Public Comment Period of Oral Communications      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 9:56 p.m. to Wednesday, June 8, 2005 at 6:30 p.m. at the Buena Vista Library, 300 North Buena Vista Street, for a joint meeting with the Planning Board.

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Margarita Campos, CMC  
City Clerk

APPROVED SEPTEMBER 13, 2005

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Mayor of the Council  
of the City of Burbank