

TUESDAY, JULY 12, 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 5:13 p.m. by Mr. Campbell, Vice Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Golonski and Murphy.  
Absent - - - - Council Members Ramos and Vander Borght.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

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

5:13 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 Real Property Negotiator:  
Pursuant to Govt. Code §54956.8  
**Agency Negotiator:** Community Development Director/ Susan M. Georgino.  
**Property:** Opportunity Site #5-Bounded by Olive Avenue, First Street, Angeleno Avenue and the back of businesses along San Fernando Boulevard.  
**Party with Whom Agency is Negotiating:** Alex Wong, Trammel Crow Residential, 949 South Coast Drive, Suite 400, Costa Mesa, CA 92626.  
**Name of Contact Person:** Jennifer Mack.  
**Terms Under Negotiation:** Sale of properties.

7/12/05

- c. Conference with Legal Counsel – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)  
**Name of Case:** Cities of Burbank, Glendale and Pasadena v. Bonneville Power Administration (BPA).  
**Case No.:** Department of Energy Board of Contract Appeals (EBCA Nos. C-0303364, C-0303365 and C-0303366).  
**Brief description and nature of case:** Breach of contract case involving the Electrical Power Sales and Exchange Agreement between Burbank and BPA. The other cities have joined because of similar issues with their agreements with BPA.

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 Mr. Campbell, Vice Mayor.

Invocation      The invocation was given by Reverend Tania Kleiman, Olive Branch Ministries.

Flag Salute      The pledge of allegiance to the flag was led by Mr. Feng, Deputy City Manager/Public Works and Capital Projects.

6:51 P.M. Recess      Vice Mayor Campbell commended Mr. Feng, Deputy City Manager/Capital Projects and Public Works, for 22 years of dedicated service to the City of Burbank, during which he served in several other capacities as Assistant Building Director, Building Official, Assistant Public Works Director/Engineering and Field Services, and Director of Public Works. He congratulated Mr. Feng upon his appointment as Assistant City Manager for the City of Camarillo, and conveyed his best wishes on behalf of the Council and staff as he embarks on new challenges.

The Council recessed at this time to hold a farewell reception in honor of Mr. Feng. The meeting reconvened at 7:04 p.m.

ROLL CALL

Present- - - -

Absent - - - -

Also Present -

406

Council Members Campbell, Golonski, Murphy and Ramos.

Council Member Vander Borght.

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

Commissioner Wiggins reported on the Airport Authority

Airport Authority Report meeting of July 5, 2005 and stated that the following officers were elected: Chris Holden, President; Carl Poviliatis, Vice President; and, Bill Wiggins, Secretary.

The report was noted and filed.

Reporting on Closed Session Report 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 Mr. Campbell called for speakers for the initial open public comment period of oral communications at this time.

Citizen Comment Appearing to comment in support of the Mayor's Youth Task Force recommendations were: Sue Boegh, Burbank Unified School District; Steven Ferguson, member of the Mayor's Youth Task Force; Wendy DeLeon, Teens in Action Media Communications Team; Jose Quintanar and Linda Maxwell, We Care for Youth; Corenthia Celis, Dorian Celis, Karla Juarez, Marif Gharapetian and Jacob Halajian, Teens in Action/Police Youth Relations.

Also, appearing to comment were: Evelyn Griffin, expressing concern with a pending alley vacation at the former Buena Vista Library; Eden Rosen, on appropriation of funds to Bliss Unlimited; Mike Nolan, on parking restrictions in the Downtown; Theresa Karam, on a prior incident which occurred in the Council Chamber; and, Mark Barton, in support of staff's response to a prior incident which occurred in the Council Chamber.

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

Agenda Item Oral Communications Mr. Campbell called for speakers for the agenda item oral communications at this time.

Citizen Comment Appearing to comment were: Mark Barton, on the Downtown Wayfinding Signage Program; Eden Rosen, on the Burbank

7/12/05

Unified School District counseling program and on commercial music lessons; Mike Nolan, on commercial music lessons and parking restrictions in the Downtown; Eric Hall, on commercial music lessons; and, Theresa Karam, in support of the salary increase for Police Officers.

Staff  
Response

Members of the Council and staff responded to questions raised.

Jt. Mtg. with  
Redev. Agency  
709  
1102  
BHC Childcare  
Center  
(Cottages  
Childcare Demo.  
Project)

Mr. Lynch, Senior Project Manager, Community Development Department, reported that in March 2004, the Burbank Housing Corporation (BHC) opened a childcare center at 2300 North Ontario Street in partnership with the Burbank Redevelopment Agency (Agency). He noted that the center was developed due to the lack of quality and affordable childcare services in Burbank.

Mr. Lynch reported that currently, the 92-space childcare center has 20 percent of the spaces offered at a tuition discount rate of 15 percent. He added that the Agency has historically desired to provide a greater level of affordability in tuition rates; unfortunately, the economics of operating a childcare center limited the Agency and the BHC from offering even more affordable tuition rates. He noted that at the same time, it has been recognized that demand for childcare comes from both residents of Burbank as well as employees of Burbank businesses. He added that early in the planning stages of the center, staff had sought corporate sponsors to help pay for the cost of developing the childcare facility but there had not been any strong corporate interest at the time.

Mr. Lynch noted that with the change in business dynamics within the City and in the immediate vicinity of the center, particularly with the continued development of the Media Studios North office project, staff sees an opportunity for companies to provide corporate sponsorship that would in return provide greater discounts for the 18 affordable spaces and ultimately have the ability to create more affordable spaces and reduce vehicle trips in the area. He added that over the last several months, staff has worked with the BHC, Knowledge Learning Centers, the operator of the facility, and the City's Childcare Committee to allow for corporate sponsorship. He explained that in developing a plan, staff had to balance the desire to make the spaces available to both Burbank residents and corporations, and be flexible enough to allow several corporations to become corporate sponsors. He reported that the proposed plan requires corporations to pay a fee to obtain priority enrollment and a portion of that fee

would then be used to lower tuition rates for the 18 affordable spaces or spread the tuition reduction across a larger number of spaces.

Mr. Lynch informed the Council that there is already a significant waiting list at the center and staff did not deem it appropriate to allow corporations to move up on the existing waiting list. On the other hand, he noted that a corporation would not want to pay a fee and still not be able to get any of their employees' children into the center within a reasonable amount of time. Taking this into consideration, he stated that staff recommended that there would be a minimum two-year agreement with a first-year fee of \$5,000, which would then increase up to \$10,000 in the second year. The fee would be paid for a block of 12 spaces and corporations would not be able to reserve more than 48 of the 92 spaces in the center. He noted that a portion of this fee would be used to pay for administrative costs, with the rest for tuition reduction, and stated that staff estimated that the tuition rates for the 18 affordable spaces would be reduced on average by \$20.83 per month for each block of 12 spaces reserved. He elaborated that for two blocks of 12 spaces each reserved, the discount on the 18 affordable spaces would be \$41.66. He added that if three blocks of 12 spaces each were reserved, staff recommended that the number of affordable spaces be increased from 18 to 27. Furthermore, he stated that if four blocks of 12 spaces each were reserved, the number of affordable spaces would increase to 36. In addition, he noted that priority for the affordable spaces would be reserved for families whose income is at or below moderate-income levels.

The Council concurred with staff's recommendations but requested that residents be given priority over employees.

Redev. Agency  
Reso. Adopted

Redevelopment Agency Resolution No. R-2134 Approving and Authorizing an Amendment to the Agreement with the Burbank Housing Corporation Pertaining to the Improvements, Use and Operation of the Child Care Center of the Housing and Childcare Demonstration Project was adopted, with modification that residents be given priority over employees.

Motion

It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."

1204-1  
Approve Final

RESOLUTION NO. 27,011:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK

7/12/05

Tract Map No. 60727 (629 E. Angeleno Ave.) APPROVING THE FINAL MAP OF TRACT NO. 60727 (629 East Angeleno Avenue).

1301-3 Sidewalk Repair Project (B.S. No. 1180) RESOLUTION NO. 27,012:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE SIDEWALK REPAIR PROJECT TO OLIVAS VALDEZ, INC., BID SCHEDULE NO. 1180.

1301-3 Alley Reconstruction Project (B.S. No. 1134) RESOLUTION NO. 27,013:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT TO KALBAN, INC. FOR THE ALLEY RECONSTRUCTION PROJECT, BID SCHEDULE NO. 1134.

907 804-3 California Seat Belt Campaign Grant RESOLUTION NO. 27,014:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING 2005 CALIFORNIA SEAT BELT COMPLIANCE CAMPAIGN GRANT PROGRAM FUNDS IN THE AMOUNT OF \$38,830 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY.

1007-1 1009-1 Establish Title of Veterinary Tech. RESOLUTION NO. 27,015:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND SPECIFICATION FOR THE CLASSIFICATION OF VETERINARY TECHNICIAN (CTC No. 0984) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

1011-3 Approve MOU with the BPOA RESOLUTION NO. 27,016:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK POLICE OFFICERS' ASSOCIATION (BPOA) FOR FISCAL YEAR 2005 THROUGH FISCAL YEAR 2007 AND AMENDING THE FISCAL YEAR 2005-2006 BUDGET.

1011-3  
Equity  
Adjustments for  
Police Captains

RESOLUTION NO. 27,017:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING RESOLUTION NO. 22,795 (THE COMPENSATION PLAN FOR UNREPRESENTED MID-MANAGEMENT EMPLOYEES) RELATING TO THE SALARY FOR POLICE CAPTAINS AND AMENDING THE FISCAL YEAR 2005-06 BUDGET.

Adopted                   The consent calendar was adopted by the following vote:

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

1202-6  
Downtown  
Burbank  
Business Imp.  
Dist. 2005-06  
Annual  
Assessment

Ms. Stewart, Downtown Manager, Community Development Department, requested the Council approve the annual assessment of property owners within the Downtown Property-Based Business Improvement District (PBID). She reported that on July 22, 2003, the Council approved the PBID for a five-year period. She added that each year, the PBID receives approximately \$720,000 from the Los Angeles County Tax Assessor from Property Tax revenues paid by Downtown property owners, excluding residential and non-profit property owners. She elaborated that the District includes approximately 289 properties and 240 shops, restaurants and retail establishments. She also noted the improvements accomplished by the PBID and announced several upcoming events.

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

1202-6  
Approve Annual  
Report and Levy  
2005-06  
Assessment for  
Downtown PBID

RESOLUTION NO. 27,018:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE ANNUAL REPORT AND LEVYING THE 2005-2006 ASSESSMENT FOR THE DOWNTOWN BURBANK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT.

7/12/05

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

203  
Mayor's Youth  
Task Force  
Recommended  
Programs

Mr. Hansen, Park, Recreation and Community Services Director, requested Council authorization to appropriate \$175,000 from the previously-established Youth Programs Holding Account to fund five programs as proposed by the Mayor's Youth Task Force (Task Force). He reported that the Task Force has been meeting regularly to review and discuss updates of current programs and receive presentations for consideration for different programs that may meet the needs of the youth of Burbank. He noted that there is currently \$250,800 available in the account. He added that the focus has been on intervention, counseling and education for secondary students.

Mr. Hansen informed the Council that the Task Force recommended funding for the following five programs:

\$15,000 for the Teens In Action Media Communication Team for the production of two additional shows. He added that four shows have been completed and the series will be integrated into the Burbank Unified School District (BUSD) high school curriculum beginning in fall 2005;

\$75,000 for continuance of the Middle School Counseling Program on BUSD middle school campuses for the 2005-2006 School Year with the Family Service Agency of Burbank as the service provider. He noted that the Task Force desires to continue the services and enter into Phase II of the program which will include a family/self-referral component;

\$50,000 for the implementation of a High School Counseling Program on two BUSD high school campuses for the 2005-2006 School Year. He stated that the proposed program will allow for continuance of care for students in need as they graduate from middle school into high school, as well as address needs of the particular school population. He reported that the Family Service Agency will be the service provider working in cooperation with the BUSD and City;

\$15,000 for continuance of the Teens In Action Police/Youth Relations with a primary goal of improving the relationship between the police and youth in Burbank. He noted that



facilitated by We Care for Youth, this team proposes to continue conducting activities such as the Teen Street Beat television show, community Ball-B-Q to include a basketball game between youth and police, campus discussion forums and participation in other community events. He added that the program also offers team members opportunities for mentoring and coaching by responsible adults; and,

\$20,000 for Bliss Unlimited start-up costs for tenant improvements and furnishings. He explained that Bliss Unlimited is a youth entrepreneurial academy that teaches business and life skills and involves a youth-directed and operated retail store with items such as gift baskets, apparel and hand-crafted jewelry. He noted that the store, operated by We Care for Youth, will be located in the Burbank Town Center and space is being provided at no charge for three years by Crown Realty and Development.

Mr. Hansen reported that the total amount requested for appropriation was \$175,000 and if approved, \$75,800 would remain in the holding account.

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

203 RESOLUTION NO. 27,019:  
 Mayor's Youth A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Task Force Teen APPROPRIATING FUNDS FOR THE MAYOR'S YOUTH TASK  
 Programs FORCE FROM THE CITY OF BURBANK TO THE BURBANK  
 MIDDLE SCHOOLS COUNSELING PROGRAM FOR \$75,000;  
 HIGH SCHOOLS COUNSELING PROGRAM FOR \$50,000;  
 TEENS IN ACTION MEDIA COMMUNICATION TEAM FOR  
 \$15,000; TEENS IN ACTION POLICE YOUTH RELATIONS TEAM  
 FOR \$15,000 AND BLISS UNLIMITED PROGRAM FOR \$20,000.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

604 Mr. Hirsch, Assistant Community Development  
 Commercial Director/License and Code Services, presented a report on the  
 Music Lessons Burbank Home Occupation Ordinance and information on how  
 From Residences other cities address the commercial business activity of music  
 lessons conducted from a residence. He noted that the City prohibits commercially-operated music lessons to be conducted from a residence as a home occupation.

Mr. Hirsch explained that between 1997 and 1998, issues surrounding home occupations were thoroughly studied by a Council-appointed citizen action committee known as the Home Occupation Task Force. He added that the Task Force made recommendations which the Council adopted in the form of the Burbank Home Occupation Ordinance, including prohibiting lessons taught from a home.

Mr. Hirsch added that in response to the Council's request for information concerning how other cities address commercial music lessons conducted from a residence, staff conducted a survey of numerous California cities. He reported that twenty-four cities responded of which ten prohibited the commercial business activity of music lessons conducted in residences, while fourteen allowed such commercial activity. He further explained that ten of the fourteen cities that allow this type of business activity regulate it through mechanisms such as: Conditional Use Permit requirements; limiting the number of lessons in a day; limiting days the lessons may be given; limiting the hours of operation of the business; not allowing music lessons in an apartment or condominium; restricting the type of musical instruments to be taught such as pianos and drums; and, prohibiting voice lessons. He then requested that the Council consider the matter and give direction as necessary.

Following Council deliberation, staff was directed to draft an amendment to the Burbank Home Occupation Ordinance to allow for commercial music lessons in residential neighborhoods.

410  
Service Agmt.  
With MTA for  
Real Time Traffic  
Information

Mr. Johnson, Assistant Public Works Director/Traffic Engineer, requested that the Council adopt a resolution authorizing the Deputy City Manager/Public Works and Capital Projects to execute an agreement with the Los Angeles County Metropolitan Transportation Authority to receive real time traffic information from the Regional Integration of Intelligent Transportation Systems (RIITS). He reported that the RIITS is intended to disseminate traveler information to public agencies involved in transportation and public safety, and to Internet Service Providers (ISPs). He added that the currently-available information on the RIITS website includes California Department of Transportation freeway data, California Highway Patrol incident information, and the Metropolitan Transportation Authority bus route and schedule information. He noted that the database will eventually include congestion data on surface streets, Metrolink train schedules and transit

information from other transit agencies.

Mr. Johnson informed the Council that Burbank's participation in the RIITS traveler information system will allow county-wide travel information to be provided on the City website. He noted that upon completion of the Burbank Intelligent Transportation System, travel and congestion information will be provided to the RIITS system, so that travelers in Burbank can determine travel times on major City streets, bus routes and schedules in Burbank, and schedules of the City's local transit systems.

Motion It was moved by Ms. Murphy and seconded by Mrs. Ramos that "the following resolution be passed and adopted:"

410 RESOLUTION NO. 27,020:  
Service Agmt. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
With MTA for APPROVING THE SERVICE AGREEMENT BETWEEN THE CITY  
Real Time Traffic OF BURBANK AND THE LOS ANGELES COUNTY  
Information METROPOLITAN TRANSPORTATION AUTHORITY TO RECEIVE  
REAL TIME TRAFFIC INFORMATION.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

Ordinance Submitted It was moved by Ms. Murphy and seconded by Mrs. Ramos that "Ordinance No. 3676 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1701 ORDINANCE NO. 3676:  
Multi-Family AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK  
Res. Dev. AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE  
Standards (ZTA RELATING TO MULTIPLE FAMILY RESIDENTIAL  
No. 2005-46) DEVELOPMENT STANDARDS (PROJECT NO. 2005-46).

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

7/12/05

Absent: Council Member Vander Borght.

Ordinance  
Submitted

It was moved by Ms. Murphy and seconded by Mrs. Ramos that "Ordinance No. 3677 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

911  
Amend Ch. 25  
Relating to  
Sewers

ORDINANCE NO. 3677:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING VARIOUS SECTIONS OF CHAPTER 25 OF THE BURBANK MUNICIPAL CODE RELATING TO DISCHARGES FROM PUBLICLY OWNED TREATMENT WORKS (POTWS) AND RELATING TO THE REQUIREMENTS UNDER THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD'S STANDARD URBAN STORM WATER MITIGATION PLAN (SUSMP).

Adopted

The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

9:16 P.M.  
Reconvene  
Redev. Agency  
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Final Open  
Public Comment  
Period of Oral  
Communications

Mr. Campbell called for speakers for the final open public comment period of oral communications at this time.

Citizen  
Comment

Appearing to comment were Ron Rothacher and Sam Asheghian, Kiwanis Club, extending an invitation to the Council for the Club's gala event honoring Johnny Grant.

301-2  
Memorial  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 9:20 p.m. to July 19, 2005 at 5:00 p.m. for a Soccer Field Study Session and in memory of Rory Zipp.

7/12/05

---

Margarita Campos, CMC  
City Clerk

APPROVED SEPTEMBER 20, 2005

---

Mayor of the Council  
of the City of Burbank