

TUESDAY, APRIL 25, 2006

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 4:38 p.m. by Mr. Vander Borght, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Gordon and Vander Borght.
Absent - - - - Council Members Golonski and 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 There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

4:38 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 Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan M. Georgino.
Property: 401 North Buena Vista Street, Burbank,
California.
Party With Whom City is Negotiating: Burbank Housing
Corporation.
Name of Contact Person: Susan M. Georgino, Community
Development Director.
Terms Under Negotiation: Instruction to negotiator will
concern price and terms of payment concerning the lease
of real property.
- b. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan M. Georgino.
Properties: Opportunity Site No. 5-Bounded by Olive
Avenue, First Street, Angeleno Avenue and the back of
businesses along San Fernando Boulevard.
Parties With Home City is Negotiating: Kimberly Paperin
and Kevin Andrade, Trammel Crow Residential, 949 South
Coast Drive, Suite 400, Costa Mesa, California 92626.
Name of Contact Person: Jennifer Mack.
Terms Under Negotiation: Instruction to negotiator will
concern price and terms of payment concerning the lease
of real property.

- c. Public Employee Performance Evaluation:
Pursuant to Govt. Code §54957 and 54957.6
Title of Employee's Position: City Manager and City Attorney.

- d. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan M. Georgino.
Property: 1001 West Magnolia Boulevard, Burbank,
California.
Party With Whom City is Negotiating: American Red
Cross, 1001 West Magnolia Boulevard, Burbank,
California.
Name of Contact Person: Susan M. Georgino, Community
Development Director.
Terms Under Negotiation: Possible acquisition.

- e. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/
Susan M. Georgino.
Property: 2721 West Burbank Boulevard, Burbank,
California.
Party With Whom City is Negotiating: Billy Burnett D
Trust, 433 Amherst Drive, Burbank, California.
Name of Contact Person: Susan M. Georgino, Community
Development Director.
Terms Under Negotiation: Possible acquisition.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:36 p.m. by Mr. Vander Borght, Mayor.

Invocation The invocation was given by Rabbi Richard Flom, Burbank Temple Emanu El.

Flag Salute The pledge of allegiance to the flag was led by Les Rosenberg.

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

- 301-1
Civic Pride
Plant-A-Tree
- Civic Pride Committee Members Shelley Davies and Eileen Cobos briefly described the Plant-A-Tree Program, and presented Mayor Vander Borcht with a donation in the amount of \$5,460 which will be used to plant trees at Lincoln Park.
- 301-1
Holocaust
Remembrance
- Mayor Vander Borcht invited members of the public to join the Council in commemoration of the Annual National Days of Remembrance, established by the United States Congress, noting services were being conducted in the rotunda of the Capitol in Washington, D.C., and in Council Chambers and State Capitols throughout the United States. He presented a Proclamation in recognition of the 2006 Days of Remembrance of the victims of the Nazi Holocaust to Sylvia Sutton, Chairperson for the Days of Remembrance of the City of Burbank Committee. Mrs. Sutton conducted a ceremony in commemoration of the National Days of Remembrance, the theme of which was "Legacies of Justice."
- John Brady, President of the Burbank Human Relations Council, noted that the theme of this year's commemoration was in honor of the effort to bring to justice some of the worst criminals in human history. He noted that the desire to seek justice after the Holocaust serves as a powerful example of how our nation can and must respond to crimes against humanity. He then outlined several events of the criminal trials following the Holocaust.
- Elaine Rosenberg, Burbank Human Relations Council, introduced the memorial candle-lighting ceremony and briefly remarked on its significance and the importance of remembering the Holocaust. The following Holocaust survivors lit six candles in memory of the six million Jews who were killed: Ruth Marks; Sofie Friedman; Hilda Gogelson; Gunther Katz; Ingrid Blumenstein; Morton Blumenstein; and, Janet Diel, who lighted the seventh candle in honor of all who perished as a result of the planned exterminations and ethnic cleansings worldwide. Sharon Mack, Cantorial Soloist, Temple Beth Emet, sang Ani Ma'amin.
- In conclusion, Mayor Vander Borcht expressed his appreciation to the survivors as well as the members of the Commemoration Committee and called for a moment of silence in memory of the victims of the Holocaust.
- Reporting on
Closed Session
- Mr. Barlow reported on the items considered by the City Council during the Closed Session meetings.

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

Citizen Comment Appearing to comment were: Eva Sippel, in support of an additional Kennel Attendant position at the Burbank Animal Shelter; Jose Quintanar, in support of Bliss Unlimited's application for Community Development Block Grant funding; Albert Hofmann, announcing a candidate forum for the 43rd Assembly District seat hosted by the Glendale Homeowners Coordinating Council; Esther Espinoza, on railroad crossing accidents; Eden Rosen, in support of the nutrition grants for seniors; LaVerne Thomas, on notification procedures regarding Conditions of Approval violations; Michelle Feather, on traffic impacts at the Burbank YMCA; Fred Prouser, on private business signage at the Burbank Tennis Center; Rose Prouser, commending the Colony Theater and questioning certain donations to the Theater; and, Howard Rothenbach, complimenting the Police Department on their response to demonstrations at Home Depot and requesting clarification on several Sales Tax issues related to the Home Depot store.

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

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

Citizen Comment Appearing to comment in support of their Community Development Block Grant (CDBG) funding applications were: Dr. Lauren Fox, CAPS Burbank Adult Day Services; Harkmore Lee, Burbank YMCA; Brian Kaloustian, Burbank Unified School District Youth Employment Program; Mourad Mo Topalian and Casey McFall, Armenian Relief Society; Shanna Vaughan, Burbank Boys & Girls Club; Barbara Howell, Burbank Temporary Aid Center (BTAC); Laurie Bleick, Family Service Agency; and, Bill Augustin, Build Rehabilitation Industries.

Also appearing to comment were: Phil Berlin, on the Brown Act criteria, the Glendale-Burbank Interceptor Sewer Project and on CDBG funding; Eden Rosen, in support of CAPS Adult Day Care's and BTAC's CDBG funding applications; David Piroli, on the proposed property acquisition of 1722 Elliot Drive and on CDBG funding; Rose Prouser, on the former Buena Vista Library

site rehabilitation, the proposed property acquisition of 1722 Elliot Drive, CDBG funding, the Magnolia Power Plant and water rates; Howard Rothenbach, on the proposed property acquisition of 1722 Elliot Drive and the Brown Act criteria; and, LaVerne Thomas, on property acquisition.

Staff Response	Members of the Council and staff responded to questions raised.
8:56 P.M. Recess	The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 9:23 p.m. with the same members present.
Motion	It was moved by Mr. Golonski and seconded by Mr. Campbell that "the following items on the consent calendar be approved as recommended."
Minutes Approved	The minutes for the regular meetings of February 7, February 14, February 21 and February 28, 2006 were approved as submitted.
1208-1 Loan Agmt. w/ Redev. Agency And BHC for 1722 Elliot Dr.	<u>RESOLUTION NO. 27,218:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A RELOCATION PLAN FOR THE RELOCATION OF RESIDENTS DISPLACED AS A RESULT OF THE ACQUISITION AND DEMOLITION OF 1722 ELLIOTT DRIVE.
1007-1 1009-1 Establish Spec. For Asst. Power Production Superintendent	<u>RESOLUTION NO. 27,219:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND SPECIFICATION FOR THE CLASSIFICATION OF ASSISTANT POWER PRODUCTION SUPERINTENDENT (CTC No. 0075) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.
804-3 Senior Citizen Nutrition Grant	<u>RESOLUTION NO. 27,220:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE EXECUTION AND FILING OF A PROPOSAL FOR A FURTHER GRANT UNDER TITLE III OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED, FOR SUPPLEMENTAL NUTRITION PROGRAMS AND SUPPORTIVE SERVICES.

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804-3
Amateur
Athletic
Foundation of
LA

RESOLUTION NO. 27,221:

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.

304-1
Civic Pride
Committee's
Donation of
Plant-A-Tree

RESOLUTION NO. 27,222:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING FISCAL YEAR 2005-2006 BUDGET FOR THE PURPOSE OF ACCEPTING BURBANK CIVIC PRIDE COMMITTEE'S PLANT-A-TREE DONATION OF \$5,460.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Gordon (abstaining on the minutes of February 7, 2006 and voting no on Resolution No. 27,218 only) and Vander Borght.

Noes: Council Member Gordon (Resolution No. 27,218 only).

Absent: Council Member Ramos.

804-3
Consolidated
Plan Submission
for CDBG

Mr. Yoshinaga, Grants Coordinator, Community Development Department, requested the Council: 1) approve/file the Fiscal Year (FY) 2006-07 Annual Plan of the Consolidated Plan 2003-08 submission; 2) file Federal fund applications for the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs; 3) file the 2006 Final Statement of Community Development Objectives and Projected Use of Funds; 4) authorize the City Manager to execute United States Department of Housing and Urban Development (HUD) funding agreements for CDBG and HOME Programs, act as the City's Certifying Officer under 24 CFR, Part 58 – Environmental Review Procedures, and execute sub-recipient contracts with organizations utilizing CDBG and HOME funds, as applicable; and, 5) permit the extension of specific CDBG Reimbursable Contracts for capital projects.

Mr. Yoshinaga informed the Council that in February 2005, President Bush called for the elimination of CDBG funding in the Federal Fiscal Year (FY) 2006. He noted that a broad coalition of national associations and organizations representing local elected officials, community development practitioners and non-profit organizations rallied in defense of the CDBG funding. He noted that Congress ultimately approved CDBG funding at \$3.7 billion representing 10 and 14 percent reductions compared to

the FY 2005 and FY 2004 allocations, respectively. He noted that the Federal FY 2007 Budget proposes \$2.7 billion in CDBG funding, a \$1 billion reduction compared to the FY 2006 funding. He noted that if the funding is enacted, CDBG funds would be reduced by an additional 25 percent over the FY 2006 level. He added that Burbank's entitlement for FY 2007 is projected to be \$242,000 less than the FY 2006 allocation, with capital project funding estimated at \$720,000 and public services at \$166,000. He noted that letters from the Mayor and the City Manager were written to the City's congressional representatives opposing any cuts in FY 2007 and the Community Development Department also urged all local non-profit organizations to write letters in support of the City's opposition to any funding reductions.

Mr. Yoshinaga informed the Council that the 2006 Annual Plan details Federal, State and local fund resources totaling over \$17.8 million, including \$1.35 million in CDBG entitlement funds, reallocated funds and program income, \$813,379 in HOME funds and \$8.4 million in Section 8 rental assistance. He stated that local resources include the Redevelopment Housing Set-Aside funds of approximately \$6 million. These total resources are utilized to meet the Consolidated Plan priority needs and objectives in the areas of housing, assistance to the homeless and special needs populations, community facilities, infrastructure, economic development and community services.

Mr. Yoshinaga further reported that CDBG resources by fund category were as follows: Capital Projects, \$876,787; Public Services, \$202,335; and, Program Administration, \$269,781, for a total of \$1,348,903. He discussed the project proposals received for both capital projects and public services, and the recommendations by the Community Development Goals Committee and Executive Staff.

Motion for
Capital Projects
Funding

It was moved by Mr. Golonski and seconded by Mr. Campbell and carried with Mrs. Ramos absent that the Council approve funding for the capital projects as proposed by the Executive Staff, as follows: Public Works Department – Olive Avenue Reconstruction Project, \$355,808; Sidewalk Reconstruction Project, \$301,528; Community Development Department, License and Code Services Division, \$135,451; and, Build Rehabilitation Industries, \$84,000.

Public Services

With regard to the public service project proposals, the Council

4/25/06

Deliberation approved funding as follows: Salvation Army, \$13,500; Family Service Agency, \$30,000; Build Rehabilitation Industries, \$7,500; Burbank Temporary Aid Center, \$28,000; Burbank School District - Summer Youth Employment Program, \$48,167; Burbank YMCA, \$10,000; Boys & Girls Club, \$23,168; Burbank Center for the Retarded, \$9,000; Library Department, \$3,000; Burbank Noon Lions, \$2,000; Heritage Clinic, \$6,000; Armenian Relief Society, \$7,500; Kids Community Dental Clinic, \$9,500; and, We Care for Youth, \$5,000.

Motion for Public Service Projects It was moved by Mr. Campbell seconded by Dr. Gordon and carried with Mr. Golonski voting no and Mrs. Ramos absent that the above funding for public service projects be approved.

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

804-3 Consolidated Plan Submission for CDBG RESOLUTION NO. 27,223:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING THE FILING OF THE FISCAL YEAR 2006-07 ANNUAL PLAN UNDER THE CONSOLIDATED PLAN SUBMISSION (FISCAL YEARS 2003-08) FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS AND AUTHORIZING THE EXECUTION OF RELATED AGREEMENTS.

Adopted The resolution was adopted by the following vote:
Ayes: Council Members Campbell, Gordon and Vander Borght.
Noes: Council Member Golonski.
Absent: Council Member Ramos.

10:30 P.M. Mr. Campbell left the meeting at this time.
Mr. Campbell
Left the Meeting

911 Mr. Andersen, Principal Civil Engineer, Public Works Department, presented a draft copy of a letter to the City of Los Angeles Mayor with copies to the Los Angeles City Council, regarding the Glendale-Burbank Interceptor Sewer (GBIS) Project. He reported that the comment period on the Draft Environmental Impact Report (EIR) ended on March 31, 2006
Draft Letter to the Mayor and City Council of Los Angeles Regarding the

GBIS

and the City of Los Angeles is in the process of reviewing the comments received and preparing a Final EIR. He stated that approximately 2000 comments were received and over 50 percent of the comments were from Burbank residents.

Mr. Andersen also reported on the progress of the meetings being held with Los Angeles staff regarding the GBIS Project. He stated that two meetings have so far been held and staff anticipated having maps, aerial photographs, easements, existing sewers and proposed alignment connections by the end of the month. He also noted that a matrix will be prepared, detailing the geology issues, connectivity, risk management, tunneling and set up, operations and maintenance. He added that if the hybrid alignment along Pass Avenue is chosen, staff will require mitigation measures for noise, vibration, traffic and a reduction in the number of maintenance holes. He requested the Council consider the letter and give direction as desired.

The Council directed that staff eliminate the first three and a half lines of the introduction paragraph and that the conclusion state in part that, Burbank appreciates the consideration given by City of Los Angeles to Burbank residents to take part in the review process of the proposed GBIS Project.

10:38 P.M.
Mr. Campbell
Returned to the
Meeting

Mr. Campbell returned to the meeting at this time.

1503
411
Renewable
Electric Energy
Resource Project
Dev. Agmt. with
SCPPA

Mr. Jeider, Power Resources Manager, Burbank Water and Power (BWP), requested the Council authorize the BWP General Manager to execute a Renewable Electric Energy Resource Project Development Agreement with the Southern California Public Power Authority (SCPPA) for the purpose of investigating and performing due diligence on potential new renewable resource options. He recounted that the Council adopted a Renewable Portfolio Standard (RPS) in October 2003 that established an RPS target of 20 percent by 2017, contingent on minimal rate impacts. He explained that Burbank's renewable energy portfolio currently includes the following resources: a micro-hydro facility at Valley Pumping Plant; micro-turbines at Burbank's landfill; and, a photovoltaic demonstration project over the BWP parking lot, noting that the Ameresco Project is still under development. He added that in 2005, BWP participated with SCPPA and nine other SCPPA member utilities in a joint Request for Proposals (RFP) for renewable energy projects from qualified renewable providers. He stated that the RFP generated 12 proposals, from which

nine potential projects were short-listed.

Mr. Jeider informed the Council that SCPPA created a steering committee in January 2006 to facilitate the process of developing agreements with various proponents. He noted that the SCPPA development agreement enables Burbank to take advantage of the economies and opportunities of scale while controlling participation in each project element. He also noted that Burbank can discontinue participation at any point and is not obligated by participating in the development agreement to proceed with the project. He mentioned that the Los Angeles Department of Water and Power has expressed major interest in various projects and has assumed the Project Manager role; however, there is a formalized voting procedure on the project elements. He emphasized that authorization to execute actual purchase ownership agreements will be sought from the Council. He reiterated that the development agreement is intended solely for conducting due diligence and stated that the anticipated services include: resource validation; confirmation of technical feasibility; legal advice for clean renewable energy bonds and ownership financing; credit evaluation of counter parties; and, transmission feasibility and economics.

Mr. Jeider reported that the not-to-exceed cost of \$600,000 associated with this contract will be recovered in the Energy Cost Adjustment Charge component of Burbank's electric energy rates. He noted that in BWP's proposed Fiscal Year 2006-07 budget, \$100,000 has been allotted for this effort with additional funding being added in subsequent years, if necessary.

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

1503
411
Renewable
Electric Energy
Resource Project
Dev. Agmt. with
SCPPA

RESOLUTION NO. 27,224:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING EXECUTION OF A RENEWABLE ELECTRIC ENERGY RESOURCE PROJECT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BURBANK AND THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY.

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Gordon and Vander Borgh.
Noes: Council Members None.
Absent: Council Member Ramos.

10:53 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Final Open
Public Comment
Period of Oral
Communications

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

Citizen
Comment

Appearing to comment were: David Piroli, on the Burbank Housing Corporation Board membership; and, Vahe Hovanessian, on the Community Development Goals (CDG) Committee recommendations, commending the Council for their deliberation on Community Development Block Grant funding and requesting a different venue for meetings of the CDG Committee.

Staff
Response

Members of the Council and staff responded to questions raised.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 11:02 p.m. to Monday, May 1, 2006 at 10:00 a.m. in the Council Chamber for the Council Reorganization Meeting.

Margarita Campos, CMC
City Clerk

APPROVED MAY 30, 2006

Mayor of the Council
of the City of Burbank