

TUESDAY, MAY 23, 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 4:35 p.m. by Mr. Campbell, Mayor.

CLOSED SESSION

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

Absent - - - - Council Member Ramos.

Also Present - 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.

4:35 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)
Name of Case: Chan v. City of Burbank.
Case No.: EC040714
Brief description and nature of case: Proposed Settlement.

STUDY SESSION

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

Absent - - - - Council Members None.

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

5:06 P.M. Budget Study Session Ms. Wyatt, Information Technology Director, presented the Fiscal Year 2006-07 Proposed Budget for the Information Technology Department.

Ms. Dolan, Administrative Analyst, City Manager's Office, presented the Fiscal Year 2006-07 Proposed Budget for the City Council and City Manager's Office.

Mr. McManus, Public Information Officer, City Manager's Office, presented the Fiscal Year 2006-07 Proposed Budget for the Public Information Office.

Mr. Barlow, City Attorney, presented the Fiscal Year 2006-07 Proposed Budget for the City Attorney's Office.

Ms. Anderson, City Treasurer, presented the Fiscal Year 2006-07 Proposed Budget for the City Treasurer's Office.

Mrs. Wilson, Deputy City Clerk, presented the Fiscal Year 2006-07 Proposed Budget for the City Clerk's Office.

Mr. Torrez, Financial Services Director, presented the Fiscal Year 2006-07 Proposed Budget for the Financial Services Department.

Ms. Cohen, Library Services Director, presented the Fiscal Year 2006-07 Proposed Budget for the Library Services Department.

Fire Chief Pansini presented the Fiscal Year 2006-07 Proposed Budget for the Fire Department.

Mrs. Sarquiz, Management Services Director, presented the Fiscal Year 2006-07 Proposed Budget for the Management Services Department.

6:30 P.M. Recess The Council recessed at this time.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:39 p.m. by Mr. Campbell, Mayor.

Invocation The invocation was given by Joanne Oemig, First Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Carlos Clark.

ROLL CALL

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

Absent - - - - Council Members None.

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

301-1 Crayola Erase It! Art Contest Winners Mayor Campbell briefly described the Crayola Erase It! Art Contest, and presented Certificates of Recognition to the following winners: Valerie Perez, Fourth Grade, Verdugo Activity Center; Juanita Alonso, Fifth Grade, Elmwood

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Achievement Center; Bethany Macias, Sixth Grade, Verdugo Activity Center; and, Lupita Valdez, Seventh Grade, Elmwood Achievement Center.

301-1
Water
Awareness
Month

Mayor Campbell presented a proclamation in honor of Water Awareness Month to Vahe Hovanessian, Chair of the Burbank Water and Power Advisory Board.

301-1
Public Works
Week and
Public Works
Director
Announcement

Mayor Campbell presented a proclamation in honor of Public Works Week to Bonnie Teaford, Interim Public Works Director and staff. Ms. Alvord, City Manager, announced the appointment of Ms. Teaford as the permanent Public Works Director.

301-1
Transportation
Management
Organization

J.J. Weston, Director of the Burbank Transportation Management Organization (TMO), made a presentation to the Council regarding an analysis of the results of the TMO's programs by the National Renewable Energy Laboratory (NREL). Douglas Arent and Elizabeth Brown, representing NREL, expounded on the analysis' preliminary report on traffic mitigation measures.

The Council requested that the Final Report be presented upon its completion.

Reporting on
Council Liaison
Committees

Mr. Vander Borcht reported on the Art Piece Selection Committee meeting for the Five Points Intersection, which he attended with Mr. Campbell.

Mrs. Ramos reported on meetings she attended in Sacramento as part of the Inter Agency Communication Interoperability System delegation, in an effort to secure additional funds from the State. She also reported on her attendance at the San Fernando Valley Service Sector Governance Council meeting and a Livable Cities Conference.

Mr. Golonski reported on the Mayor's Youth Task Force meeting he attended.

Reporting on

Mr. Barlow reported on the items considered by the City Council

Closed Session	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 were: Airport Commissioner Brown, on the benefits derived from Bob Hope Airport by the City; Michael Hastings, giving an update on the activities of the Burbank Priority In Education organization; Mary Schindler, in support of her application to serve on the Community Development Goals Committee; Garen Yegparian, commending the Council on the recent Community Development Block Grant allocations; Esther Espinoza, alleging police misconduct; Gary Garrison, on the Downtown summer programs; Paul Dyson, on public transportation; and, Howard Rothenbach, in support of Proposition 81.
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: Michael Hastings, in support of the Colony Theater contract extension; Esther Espinoza, on the PETCO Foundation donation to the Burbank Animal Shelter; Craig Bullock, in support of the amendment regarding the composition of the Heritage Commission and in support of his application to serve on the Commission; Paul Dyson, on the Burbank Transportation Management Organization; and, Rose Prouser, on the valet parking ordinance and parking issues.
Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Mr. Vander Borght and seconded by Mrs.

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Ramos that "the following items on the consent calendar be approved as recommended."

1502
National
Renewable
Energy Lab.
Report on Trip
Reduction

A report was received from the Community Development Department stating that shortly after the Media District Specific Plan (MDSP) was adopted in 1991, area companies formed the Media District Transportation Management Organization (MDTMO) to develop and administer the Plan's Trip Reduction Program. The principal obligation of the program is that area companies with 25 or more employees are required to conduct annual surveys of their employee commute patterns to demonstrate their compliance with mandated trip reductions. The Burbank TMO also advocates for clean air programs and works with other agencies to acquire grant funding for local pollution reduction programs. Staff stated that while individual companies have in some cases had year-to-year difficulties in meeting their individual goals, the overall goal for the Media District has been met in each of the 15 years that the program has been in operation.

Staff reported that the National Renewable Energy Laboratory (NREL) is the nation's primary laboratory for renewable energy and energy efficiency research and development. It was indicated that NREL has been working with the TMO to study the program structure and how the TMO works with its member companies to ensure that the mandated goals are met. Staff stated that NREL has concluded its study and prepared a preliminary report of its findings which has been presented to the Transportation Commission and is being discussed with the Council.

The Council noted and filed the report.

304-1
Donation to the
Police Dept.
From PETCO

RESOLUTION NO. 27,245:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET BY ACCEPTING THE DONATION OF PETCO FOUNDATION OF \$15,000.00 AND APPROPRIATING THESE MONIES FOR THE FUNDING OF ANIMAL SHELTER IMPROVEMENTS.

804-3

RESOLUTION NO. 27,246:

907
2005 Homeland Security Grant Program

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING FISCAL YEAR 2005 HOMELAND SECURITY GRANT PROGRAM GRANT FUNDS IN THE AMOUNT OF \$47,287.50 FROM U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE 2005 BUFFER ZONE PROTECTION PLAN (BZPP).

708
Third Amend. to The Sublease Agmt. and Master Lease with Colony Theatre Co.

RESOLUTION NO. 27,247:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE THIRD AMENDMENT TO THE SUBLEASE AGREEMENT AND MASTER LEASE MODIFICATION BETWEEN THE CITY OF BURBANK, BURBANK MALL ASSOCIATES, AND THE COLONY THEATRE COMPANY RELATING TO THE PERFORMING ARTS CENTER.

708
Third Amend. to Operating Agmt. with Colony Theatre Co.

RESOLUTION NO. 27,248:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE THIRD AMENDMENT TO THE OPERATING AGREEMENT BETWEEN THE CITY OF BURBANK AND THE COLONY THEATRE COMPANY RELATING TO THE PERFORMING ARTS CENTER.

Adopted The consent calendar was adopted by the following vote:

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

202-13
Amend. to the Heritage Comm. And Appts. to The Heritage Commission

Mr. Forbes, Senior Planner, Community Development Department, requested the Council consider an amendment to the Burbank Municipal Code relating to the Heritage Commission. He elaborated that in 1994, the Council adopted the City's historic preservation ordinance and created the Heritage Commission whose purpose was to administer the preservation ordinance and to encourage public and private historic preservation efforts. He noted that the Commission serves as an advisory body to the Council and is also charged with reviewing all requests for permits to modify a designated historic resource.

Mr. Forbes informed the Council that the BMC provides that the Commission shall be composed of five Burbank residents, including two members from the business community, two members experienced in the field of historical preservation and

one member from the community at large. He stated that the terms for three Heritage Commission seats will expire on June 1, 2006, including one vacancy for a person experienced in historic preservation and two vacancies for individuals from the business community. He explained that as of the April 28, 2006 filing deadline, six Burbank residents had applied for the three vacant seats; however, only one of the six applicants works in Burbank and could be considered as meeting the criteria as a representative of the business community. Therefore, the Council cannot fill all three vacant seats, given the current applicant pool, in a manner consistent with the BMC.

Mr. Forbes noted staff's proposal that the BMC be amended to require the Commission to be composed of five residents with a demonstrated interest, competence or knowledge in historic preservation. He added that the amendment would allow any resident interested in preservation to apply to serve on the Commission. He noted that in an effort to promote professional competence among the Commissioners, at least two members would be encouraged by the BMC, but not required, to have professional backgrounds in a discipline related to historic preservation. All Commission Members would be responsible for ensuring that the Commission provides a balanced perspective and equally represents the interests of Burbank residents and businesses.

Ordinance
Introduced

It was moved by Mr. Vander Borcht, seconded by Mrs. Ramos and carried that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

202-13
Amend Ch. 2
Of the BMC
Relating to the
Heritage Comm.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 2 OF THE BURBANK MUNICIPAL CODE RELATING TO THE COMPOSITION OF THE HERITAGE COMMISSION.

Appointment to
the Heritage
Commission

Following the introduction of the ordinance, the Council made the following appointments to fill the three vacancies. Some of the appointed individuals will be eligible to serve after the effective date of the amended ordinance: Craig J. Bullock, for a term expiring June 1, 2010; and, Sonia B. Peltekian and Jonathan M. Cornelio for a term effective July 8, 2006 and expiring June 1, 2010.

202

Mrs. Campos, City Clerk, requested the Council make

203
City Boards,
Commissions
and Committees

appointments to the identified boards, commissions and committees with members whose terms expire June 1, 2006; and, the Blue Ribbon Task Force on Fences, Walls and Landscaping. She reported that on April 3, 2006, the Clerk's Office began advertising and accepting applications for vacancies created by the June 1, 2006 term expirations. Notice of the vacancies was sent to newspapers and placed on the City's website, Channel 6 Scroll and in the March 2006 utility billing envelopes, with an application submission deadline of Friday, April 28, 2006 at 5:00 p.m.

Mrs. Campos informed the Council that a random drawing was conducted to select the order that the boards, commissions and committees would be placed on the agenda for Council voting and the order the applicants will appear on the voting sheets. She noted that all board, commission and committee members serve without compensation and shall not serve on more than one board, commission or committee established by the Burbank Municipal Code at the same time. She also added that any appointee must be an elector of and reside in the City.

Mrs. Campos reported that as a result of the random drawing, the following order was being presented to the Council for voting: **Art in Public Places** (1 vacancy) – Jonathan M. Cornelio, Shannon M. Stevenson-Landon, Eva M. Sippel, Robert P. Coontz and Carole Kubasak; **Civic Pride Committee** (5 vacancies) – Shelley J. Davies, Henry J. Diel, Mary Lou Wagner, Arthur M. Solis and Elisa Freeman; **Community Development Goals Committee** (4 vacancies) – Eva M. Sippel, Michael F. Napolitano, Ross D. Necessary, Shannon M. Stevenson-Landon, Mary F. Schindler, Dwayne Healy and Avo Donoyan; **Senior Citizen Board** (3 vacancies) – Judith A. Andrews, Henry J. Diel, Barkev S. Peltekian, Arthur M. Solis, Forrest L. Barker, Mary M. Brady and Libby Nardo; and, **Traffic and Transportation Committee** (6 vacancies) – Brian A. Malone, Joseph M. Spaulding, Donald D. Farquhar, Joseph T. Terranova, Michael Napolitano and Dwayne Healy.

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.

203-4

For the Art in Public Places Committee, the Council made the

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- Art in Public Places Committee following appointments: Robert P. Coontz (2010); and, Carol Kubasak (2010) and Shannon M. Stevenson-Landon (2010), whose appointments would be effective after the Burbank Municipal Code amendment to expand the Committee to seven members.
- 203-3 Civic Pride Committee For the Civic Pride Committee, the Council made the following appointments: Shelley J. Davies (2008); Henry J. Diel (2008); Mary Lou Wagner (2008); Arthur M. Solis (2008); and, Elisa Freeman (2008).
- 203-1 Community Development Goals Comm. For the Community Development Goals Committee, the Council made the following appointments: Eva M. Sippel (2010); Ross D. Necessary (2010); Mary F. Schindler (2010); and, Dwayne Healy (2010).
- 202-9 Senior Citizen Board For the Senior Citizen Board, the Council made the following appointments: Forrest L. Barker (2010); Mary M. Brady (2010); and, Libby Nardo (2010).
- 203-2 Traffic and Transportation Committee For the Traffic and Transportation Committee, the Council made the following appointments: Brian A. Malone (2008); Joseph M. Spaulding (2008); Donald D. Farquhar (2008); Joseph T. Terranova (2008); and, Michael Napolitano (2008). The sixth vacancy will be filled at a future date.
- 8:57 P.M. Recess The Council recessed at this time. The meeting reconvened at 9:06 p.m. with all members present.
- 203 Blue Ribbon Task Force on Fences, Walls And Landscaping Mrs. Campos further reported that on September 13, 2005, the Council considered options for modifying the development standards pertaining to fences, walls, hedges and other yard features in residential zones. She noted that part of the Council's direction on the matter included the establishment a Blue Ribbon Task Force which would work with staff on developing new standards. She explained that on October 5, 2005, the Clerk's Office began advertising for individuals to serve on the Task Force with the application deadline extended several times to allow for receiving sufficient applications. She stated that as of the most recent deadline of Friday, April 28, 2006, a total of 23 applications had been received. She noted that the Task Force is an ad-hoc committee and applicants appointed to the Task Force can serve on another board, commission or committee established by the Burbank Municipal

Code. She also requested Council direction on whether a late application submitted by Mr. Rob D. Ross should be included for consideration.

Following a vote of the Council, the following appointments were made: Vicki A. Dlugolecki; George I. Methe; Robert Idavia; Razmik Hovanessian; Emma M. Kurdian; Sandy L. Dennis, Dan E. Soderstrom, Janis Bunch and Margaret M. Sorthun.

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| Motion | It was moved by Mr. Vander Borght, seconded by Dr. Gordon and carried that "the composition of the Art In Public Places Committee be increased from five to seven members and that Carole Kubasak and Shannon Stevenson-Landon be appointed to the Committee. These appointees would be eligible to serve after the effective date of the amended ordinance." |
| 801-2
Continuation of
Budget Study
Session | Ms. Teaford, Public Works Director, presented the Fiscal Year 2006-07 Proposed Budget for the Public Works Department. |
| Ordinance
Submitted | It was moved by Mr. Vander Borght and seconded by Mr. Golonski that "Ordinance No. 3695 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read: |
| 1705-1
206
Valet Parking
Program | <u>ORDINANCE NO. 3695:</u>
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 29 OF THE BURBANK MUNICIPAL CODE TO AUTHORIZE VALET PARKING BY PERMIT. |
| Adopted | The ordinance was adopted by the following vote:

Ayes: Council Members Golonski, Ramos, Vander Borght and Campbell.
Noes: Council Member Gordon.
Absent: Council Members None. |
| Final Open
Public Comment
Period of Oral
Communications
Citizen | Mr. Campbell called for speakers for the final open public comment period of oral communications at this time.

Appearing to comment were: David Piroli, on enforcement of |

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Comment the valet parking ordinance and the City Attorney's comments with regard to safety at the intersection of Buena Vista Street and San Fernando Road; and, Eden Rosen, on proposed utility rate increases.

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 11:00 p.m. to Tuesday, May 30, 2006 at 5:00 p.m. in the Council Chamber for a Budget Study Session.

Margarita Campos, CMC
City Clerk

APPROVED JUNE 20, 2006

Mayor of the Council
of the City of Burbank