

TUESDAY, AUGUST 8, 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 5:36 p.m. by Mr. Campbell, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Gordon and Campbell.
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 Mayor's invitation for oral communications on Closed Session matters at this time.

5:37 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:

Conference with Legal Counsel – Existing Litigation:

Pursuant to Govt. Code §54956.9(a)

Name of Case: City of Burbank v. Kajima Construction, et al.

Case No.: 04CC12506

Brief description and nature of case: Complaint is for design and construction defects.

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. Campbell, Mayor.

Invocation The invocation was given by Pastor Ron White, American Lutheran Church.

Flag Salute The pledge of allegiance to the flag was led by Mr. Kramer, Community Assistance Coordinator.

ROLL CALL

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

Reporting on Council Liaison Committees Mr. Campbell reported on the Southern California Association of Government's Aviation Task Force meeting he attended.

Dr. Gordon reported on the Treasurer's Office Subcommittee

meeting he attended with Mr. Golonski.

Mrs. Ramos reported on meeting with Cynthia Ruiz and Paula Daniels who are members of the Los Angeles Board of Public Works regarding the Glendale-Burbank Interceptor Sewer Project.

406
Airport Authority
Meeting Report

Commissioner Wiggins reported on the Airport Authority meeting of July 31, 2006. He stated that the Authority awarded a contract in the amount of \$2,914,000 for Project No. E06-32 for a 2400 volt switchgear project replacement. He added that included in the project is a 2000 kilowatt back-up generator and a motion to reimburse the City of Burbank up to \$100,000 in expenses associated with the acquisition and installation of a 1500 KVA primary service transformer at Bob Hope Airport.

6:52 P.M.
Dr. Gordon
Recused

Dr. Gordon recused himself at this time due to a potential conflict with this item.

6:53 P.M.
Hearing
1202-6
Magnolia Park
PBID

Mayor Campbell stated that "this is the time and place for the hearing on the proposed establishment of the Magnolia Park Property and Business Improvement District."

Meeting
Disclosures

There were no meeting disclosures.

Notice
Given

The City Clerk was asked if notices and ballots as required by law had been mailed to record owners of each parcel within the proposed District, and whether all the ballots received on the matter had been brought to the meeting. She replied in the affirmative.

Staff
Report

Ms. Stewart, Downtown Manager, Community Development Department, reported that the purpose of this agenda item is for the Council to continue procedures and finalize proceedings on the proposed Magnolia Park Property-based Business Improvement District (PBID), and authorize the opening of ballots as a final step to establish and form the PBID. She noted that upon the conclusion of the hearing, if the submitted ballots in favor of the assessment exceed the ballots submitted in opposition, based on total assessment value, then the Council can adopt the resolution establishing the District and levying the first assessment. She

explained that the purpose of the PBID is to provide special services and improvements to enhance Magnolia Park.

Ms. Stewart recounted that in September 2004, staff presented the Magnolia Park Action Plan that included results from five survey groups, a 3000-residential survey and input from the Magnolia Park Community Advisory Committee. She added that the Action Plan findings recommended numerous improvements and programs such as retail leasing, parking, promotions and events which would be funded by a PBID. She stated that a Steering Committee was formed to work with staff and Downtown Resources to develop the Magnolia Park Management Plan. On June 20, 2006, the Council considered initiation of the proposed PBID after receiving a petition representing over 50 percent of the property owners (weighted by the proposed assessment) supporting the proposed PBID. At that time, the Council authorized the distribution of ballots to the property owners who would be subject to the assessment.

Ms. Stewart informed the Council that the Management District Plan outlines major components of the PBID, including: the proposed boundaries; service plan and budget; the proposed assessment formula; and, the proposed governance of the organization. She stated that the District boundary is proposed to include commercial property along Magnolia Boulevard and Hollywood Way, bound by Chandler Boulevard to the north, Clark Avenue to the south, the City limits to the west and Buena Vista Street to the east. She added that services and improvements include a parking program with a goal to create at least 150 new parking spaces, maintenance services, promotion, advertising, events, and business recruitment to support and attract more desirable businesses. She also noted that the annual District budget is approximately \$250,000 with a maximum of a three percent annual increase.

Ms. Stewart further elaborated that the proposed assessments for the District are divided between two zones: Zone 1 runs from Buena Vista Street and Magnolia Boulevard to Pass Avenue including Hollywood Way from Clark Avenue to Chandler Boulevard; and, Zone 2 runs from Pass Avenue to Ledge Street and Clybourn Avenue to Magnolia Boulevard. She stated that the cost to the property owners in Zone 1 is \$0.12 per lot square foot per year plus \$0.05 per building square foot per year. She explained that because of fewer services and reduced benefits, the cost to owners in Zone 2 is \$0.06 per lot square foot per year plus \$0.025 per building square foot per year. She clarified that due to the commercial nature of the improvement programs, residential and non-profit properties are not assessed; however, the Parking Authority and other government jurisdictions will be assessed at the same formula.

Ms. Stewart reported that the term of the proposed District is five years. She added that the proposed District Board shall be governed by a private non-profit corporation with oversight from the Burbank City Council and is proposed to be comprised of six property owners, two residential representatives, two City representatives and one business owner. Should the Council approve the formation of the PBID, she recommended that staff be directed to solicit applications for the proposed PBID Board of Directors.

Citizen Comment	Appearing to comment were: Carolyn Jackson, attorney representing Darc Enterprises, in opposition to the PBID; and, Anita McLendon, Vice President of Marketing at Burbank Community Credit Union, in support of the PBID.
7:05 P.M. Hearing Closed	There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.
Ballot Change/ Withdrawal	Mayor Campbell reported that under the law, any person who filed a written ballot may withdraw or change the ballot and requested that any person who wished to do so come to the podium, identify themselves and obtain their ballot. There being no response, Mayor Campbell requested if there was any staff response to public comment.
Staff Response	Ms. Stewart responded to public comment with regard to the process of the PBID formation and the extent to which the property owners were involved.
7:09 P.M. Recess Hearing	The hearing was recessed at this time and Mayor Campbell directed that the ballots be opened and the results tabulated.
Reporting on Closed Session	Mr. Barlow reported on the item considered by the City Council during the Closed Session meeting.
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.

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7:12 P.M.
Dr. Gordon
returns

Dr. Gordon returned to the Chamber at this time.

Citizen
Comment

Appearing to comment were: Gary Garrison, requesting a karaoke program at the Joslyn Adult Center; Rose Prouser, on the Redevelopment Agency action on June 27, 2006 regarding the Gangi Project; Eden Rosen, on senior housing; and, Mark Barton, on the Burbank Civic Plaza project.

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: Gary Yamada, representing West Wind Media's concerns regarding the proposed interim ordinance on the Development Review Process; Gary Olson, in opposition to the ordinance related to the Development Review Process; Rose Prouser, on the renovation of the patio and shuffle board courts at the Tuttle Senior Center in reference to the Annual Work Program; and, Mark Barton, on the Bob Hope Airport logo.

Staff
Response

Members of the Council and staff responded to questions raised.

Motion

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

Minutes
Approved

The minutes for the regular meetings of July 11 and July 18, 2006 were approved as submitted.

1211
Weed
Abatement

RESOLUTION NO. 27,286:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CONFIRMING THE ITEMIZED WRITTEN REPORT OF THE AGRICULTURAL COMMISSIONER/DIRECTOR OF WEIGHTS AND MEASURES FOR THE COUNTY OF LOS ANGELES FOR THE ABATEMENT OF WEEDS AND PUBLIC NUISANCES, AND CONFIRMING THE COSTS OF SUCH ABATEMENT AND ASSESSING SUCH COSTS AGAINST CERTAIN REAL PROPERTY.

902 RESOLUTION NO. 27.287:
 Greenhouse Gas A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 Reduction Goals ADOPTING THE GREENHOUSE GAS REDUCTION GOALS OF
 THE CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION.

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

1702 Mr. Forbes, Senior Planner, Community Development Department,
 Appeals and stated that the following ordinances were introduced at the July 25,
 DR Process for 2006 meeting and are being presented for a second reading and
 Planning adoption. He clarified that two changes were requested by the
 Applications Council, including; waiving the appeal fee for City Council and
 Planning Board members and inclusion of provisions for the
 secondary appeal period. He stated that the ordinances have been
 amended accordingly. He noted that no changes were requested
 with regard to the second ordinance.

Ordinance Following Council deliberation, it was moved by Mr. Golonski and
 Submitted seconded by Dr. Gordon that "Ordinance No. 3701 be read for the
 second time by title only and be passed and adopted, with
 additional direction that staff return with wording on the Council's
 ability to call up an appeal decision by the Community
 Development Director."

1702 ORDINANCE NO. 3701:
 Appeals and DR AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
 Process AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE
 (ZTA 2006-008) RELATING TO APPEALS AND THE DEVELOPMENT REVIEW
 PROCESS (Project No. 2006-008, Zone Text Amendment).

Adopted The ordinance was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Member Vander Borght.

Ordinance It was moved by Mr. Golonski and seconded by Dr. Gordon that
 Submitted "Ordinance No. 3702 be read for the second time by title only and

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be passed and adopted.” The title to the following ordinance was read:

1702
Dev. Review
Process (ZTA
2006-008)

ORDINANCE NO. 3702:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO THE DEVELOPMENT REVIEW PROCESS (Project No. 2006-008, Zone Text Amendment).

Adopted

The ordinance was adopted by the following vote:

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

Ordinance
Submitted

It was moved by Mr. Golonski and seconded by Mrs. Ramos that “Ordinance No. 3703 be read for the second time by title only and be passed and adopted.” The title to the following ordinance was read:

804-5
Telephone Users
Tax

ORDINANCE NO. 3703:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTIONS 14-1101 AND 14-1102 OF THE BURBANK MUNICIPAL CODE, TELEPHONE USERS TAX.

Adopted

The ordinance was adopted by the following vote:

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

8:55 P.M.
Dr. Gordon
Leaves the
Meeting

Dr. Gordon left the meeting at this time due to a potential conflict with the following item.

8:55 P.M.
Reconvene
Public Hearing

The public hearing concerning the Magnolia Park Property-based Business Improvement District was reconvened at this time for the purpose of determining the ballot vote.

Ballot Results Mrs. Campos, City Clerk, reported that the ballots have been opened and tabulated and that 54.69 percent of the votes cast were in favor of the District and 45.31 percent were in opposition; so the District has passed.

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

1202-6
Magnolia Park
PBID RESOLUTION NO. 27,288:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE MAGNOLIA PARK PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, APPROVING THE ASSESSMENT FORMULA AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2006-2007.

Staff was also directed to proceed with soliciting applications for the Magnolia Park PBID Board of Directors.

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Ramos and Campbell.

Noes: Council Members None.

Recused: Council Member Gordon.

Absent: Council Member Vander Borght.

8:58 P.M.
Dr. Gordon
returns Dr. Gordon returned to the Chamber at this time.

201-2
Work Program
(PRCS, Public
Works and City
Manager) Mr. Hansen, Park, Recreation and Community Services Director, presented the Work Program Goals and Performance Indicators for the Park, Recreation and Community Services Department.

Ms. Teaford, Public Works Director, presented the Work Program Goals and Performance Indicators for the Public Works Department.

Ms. Dolan, Administrative Analyst, City Manager's Office, presented the Work Program Goals and Performance Indicators for the City Manager and City Council Offices.

Mr. McManus, Public Information Officer, presented the Work Program Goals and Performance Indicators for the Public

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Information Office.

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: Esther Espinoza, on the Police Department Work Program; and, David Piroli, on the criteria for agenda item orals.

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.

Margarita Campos, CMC
City Clerk

APPROVED OCTOBER 3, 2006

Mayor of the Council
of the City of Burbank