

TUESDAY, OCTOBER 3, 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 5:33 p.m. by Mr. Campbell, Mayor.

CLOSED SESSION

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

Absent - - - - Council Members None.

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.

5:33 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 Labor Negotiator:

Pursuant to Govt. Code §54957.6

Name of the Agency Negotiator: Management Services Director/Judie Sarquiz.

Name of Organization Representing Employee: Burbank Firefighters Chief Officers Unit.

Summary of Labor Issues to be Negotiated: Contracts and Retirement Issues.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:38 p.m. by Mr. Campbell, Mayor.

Invocation The invocation was given by Bob Kramer, Community Assistance Coordinator

Flag Salute The pledge of allegiance to the flag was led by Dr. Gene Schklair.

ROLL CALL

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

Absent - - - - Council Members None.

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

301-1 Mayor Campbell presented a proclamation in honor of Teen Read

Teen Reed Week	Week to Teen Librarians Melissa Gwynne and Katherine Robertson.
301-1 Senior Artists Colony	Ms. Davidson-Guerra, Assistant Community Development Director, Housing and Redevelopment, recognized the Senior Artists Colony for receipt of an award from the National Endowment for the Arts for programming, which exemplifies best practices in lifelong learning conducted by More Than Shelter for Seniors. Mayor Campbell presented a Certificate of Recognition to Tim Carpenter, Executive Director of More Than Shelter for Seniors, and John Huskey, President of Meta Housing Corporation.
301-1 Public Power Week	Mayor Campbell presented a proclamation in honor of Public Power Week to Vahe Hovanessian, Chair of the Burbank Water and Power Board.
Hispanic Heritage Month	Mayor Campbell presented a proclamation in honor of Hispanic Heritage Month to Ramiro Pena, Store Manager for Vallarta Supermarket, and Raul Porto, owner of Porto's Bakery.
Reporting on Council Liaison Committees	<p>Dr. Gordon reported on attending a California Redevelopment Agency seminar in Glendale. He also reported that his drug test results are available for public viewing in the City Clerk's Office and commended Vice Mayor Ramos for taking the lead on the Glendale-Burbank Interceptor Sewer Project.</p> <p>Mr. Vander Borcht reported on attending the art piece selection committee meeting for the former Five Points Intersection with Mr. Campbell. He also reported on attending the Memorial Field Subcommittee meeting with Mrs. Ramos.</p> <p>Mr. Campbell recognized Boy Scout Troop 209 for their work with donated materials to construct the Smokey the Bear fire warning signs which have been posted in the hillside.</p>
406 Airport Authority Meeting Report	<p>Commissioner Lombardo reported on the Airport Authority meeting of October 2, 2006. He stated that the Authority appropriated \$493,000 to replace the air conditioning unit in Building 10.</p> <p>Mr. Vander Borcht commended the Commissioners for their response regarding the Airport transit center facility.</p>
1704-5 Project No. 2006-	Mayor Campbell stated that "this is the time and place for the hearing on the appeal of the Planning Board's decision approving

10/03/06

82
1445 N. Fairview
St. Project No. 2006-082, a Variance request by Rasmik and Leigh Boghosian to extend the existing legal non-conforming driveway. The subject property is located at 1445 North Fairview Street. The Variance was approved by the Planning Board on August 14, 2006 with a condition that the applicants conduct a survey and ensure a minimum driveway width of eight feet.”

Meeting
Disclosures There were no meeting disclosures.

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 communication had been received.

Staff Report Mrs. Forbes, Deputy City Planner, Community Development Department, presented an appeal of one of the Conditions of Approval on a project approved by the Planning Board. She stated that the applicants propose to add on to their existing single-family home and maintain a substandard driveway width which requires a Variance. She noted that the plans originally submitted had driveway widths of both eight feet and eight feet-nine inches indicated. She stated that staff recommended the applicants undertake a survey prior to the Planning Board hearing but the applicants declined because they did not want to pay the associated significant cost in the event the project was denied. She added that the Planning Board approved the project with a condition that a survey be performed since one would be required for the relocated garage anyway. She noted that the Planning Board specified that the driveway would need to be a minimum of eight feet wide and completely within the applicant’s property, otherwise the applicant would adjust their addition to maintain a minimum driveway width of eight feet.

Mrs. Forbes informed the Council that a survey performed on the subject property after the Planning Board’s hearing indicated that the side wall is approximately one foot within the neighbor’s property, making the driveway only seven feet nine inches wide. She noted that the applicants do not want to adjust their addition as directed by the Planning Board as their floor plan will be affected. She noted receipt of a letter from the neighbors indicating no intention of moving the existing wall; however, no guarantee was given that the wall would not be moved and in addition, the existing gate further reduces the driveway by a minimum of four inches on each side.

Mrs. Forbes reported that staff is proposing a condition which would require the neighbor to grant an easement to the applicant to allow them to continue to use the space for a driveway otherwise the driveway is too narrow for a standard vehicle to pass and rendering the garage unusable. She recommended the Council uphold the appeal and modify the Conditions of Approval.

Appellant Mrs. Leigh Boghosian, applicant, provided a brief history of the property and project, noted other surrounding homes with similar block walls, elaborated on several options considered and urged the Council approve the appeal absent Condition of Approval No. 3 which required an easement, and amending Condition of Approval No. 1 to reflect the actual width of the driveway which is eight feet nine inches.

7:28 P.M. There being no response to the Mayor’s invitation for oral comment, Hearing Closed the hearing was declared closed.

Motion Following Council deliberation, it was moved by Mr. Golonski, seconded by Dr. Gordon that “the following resolution be passed and adopted with elimination of Condition of Approval No. 3 and approving the seven-foot nine-inch driveway.”

1704-5 RESOLUTION NO. 27,327:
 Project No. 2006- A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 82 MODIFYING THE DECISION OF THE PLANNING BOARD AND
 1445 N. Fairview UPHOLDING THE APPEAL OF PROJECT NO. 2006-082, A
 St. VARIANCE (1445 NORTH FAIRVIEW STREET – RAZMIK AND
 LEIGH BOGHOUSSIAN, APPLICANTS).

The resolution was adopted by the following vote:

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

Reporting on Mr. Barlow reported on the items considered by the City Council
 Closed Session during the Closed Session meeting.

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

10/03/06

Communications

Citizen Comment Appearing to comment were: Michael Hastings, announcing the success of the Burbank Priority In Education paper donation drive; Mary O'Hare, on the Glendale-Burbank Interceptor Sewer Project; Jim Schad, on the \$2 million loan to the Burbank Airport Hilton several years ago; Mark Barton, on the oral communications procedure; Eden Rosen, on State legislation and display of addresses in alleys; Esther Espinoza, on the Hispanic Heritage Month Proclamation; Don Elsmore, on the Burbank Community Foundation; and, David Piroli, on oral communications criteria.

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: Don Elsmore, in opposition to the format used by the League of Women Voters to conduct candidate forums; Gwen Cochran, Vice President League of Women Voters, requesting Council approval to conduct a candidate forum and a pros and cons forum on the 13 propositions which will appear on the November 7, 2006 ballot; Derek Przebieda, in support of the development of the bicycle masterplan; Rose Prouser, in opposition to the League of Women Voters' request to conduct forums and on testimony given during a Charter Review Committee meeting regarding elections; Mark Barton, on the request by the League of Women Voters to conduct candidate and proposition forums; Esther Espinoza, on the Transportation Development Act Bicycle and Pedestrian Facility funds; David Piroli, on the request by the League of Women Voters to conduct forums; and, Eden Rosen, on the Victory Boulevard Class II and Class III Bikeway.

Items removed from Consent The items regarding "Application For Fiscal Year 2004-05 And 2005-06 Transportation Development Act Bicycle And Pedestrian Facility Funds (Senate Bill 821); Authorization To Accept A California Department Of Transportation Account Grant For The Victory Boulevard Class II And Class III Bikeway And To Amend The Fiscal Year 2006-07 Budget; and, "Request From The League Of Women Voters To Conduct A Candidate Forum And A Ballot Proposition Forum" were removed from the consent calendar for the purpose of discussion.

- Motion It was moved by Mrs. Ramos and seconded by Mr. Vander Borgh that "the following items on the consent calendar be approved as recommended."
- Minutes Approved The minutes for the regular meetings of July 25, August 1, August 8 and August 15, 2006 were approved as submitted.
- 804-3
1207
Grant funding from California OES for seismic retrofit of 5 City Bldgs. RESOLUTION NO. 27,328:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES AND DESIGNATION OF AGENTS TO EXECUTE DOCUMENTS ON BEHALF OF THE CITY.
- 204
Request for Election services from the Board of Supervisors for the 2007 Elections RESOLUTION NO. 27,329:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO PERMIT THE REGISTRAR OF VOTERS TO RENDER ELECTION SERVICES TO THE CITY OF BURBANK RELATING TO THE PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS TO BE HELD ON FEBRUARY 27, 2007 AND APRIL 10, 2007.
- 204
Consolidated Precincts for the 2007 Elections RESOLUTION NO. 27,330:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CONSOLIDATING PRECINCTS ESTABLISHED BY THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS INTO 42 MUNICIPAL PRECINCTS FOR THE 2007 PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS.
- Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Gordon, Ramos, Vander Borgh and Campbell.
Noes: Council Members None.
Absent: Council Members None.
- 401
410 A report was received from the Community Development Department requesting Council authorization to apply for State

10/03/06

Application for
Transportation
Development Act
(TDA) for Bicycle
and Pedestrian
Facility Funds
(SB 821)

funding under Article 3 of the Transportation Development Act (TDA), Senate Bill 821 for the project amount of \$53,166 from the Fiscal Year 2004-05 funds. Staff proposed to use the funds to support the local matches for the Hollywood Bikeway and Safe Routes to School Cycle 6 projects.

Staff indicated that TDA funds are administered by the Los Angeles County Metropolitan Transportation Authority. It was noted that Article 3 funds are not automatically distributed to the local jurisdictions and that in order to receive funds each fiscal year, a jurisdiction must file a TDA Article 3 Bicycle and Pedestrian Funds Claim Form which identifies the project to be funded. It was stated that there are no matching funds or future funding commitments by the City associated with filing for these funds. Staff recommended that the Council adopt the proposed resolution authorizing the Community Development Director to submit a claim form to draw down the Fiscal Year 2004-2005 TDA funds and to appropriate \$53,166 from the General Fund to the above TDA fund account.

Motion

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

401
410
Transportation
Development Act
(TDA) for Bicycle
and Pedestrian
Facility Funds
(SB 821)

RESOLUTION NO. 27,331:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE APPLICATION FOR TRANSPORTATION DEVELOPMENT ACT (TDA) BICYCLE AND PEDESTRIAN FACILITY FUNDS (SB821) AND AMENDING THE FISCAL YEAR 2006-2007 BUDGET IN THE AMOUNT OF \$53,166.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

804-3
403
Authorization to
accept California

A report was received from the Community Development Department requesting the Council accept a California Department of Transportation (Caltrans) Bicycle Transportation Account (BTA) Grant in the amount of \$480,900 with a local

- Department of Transportation Grant for Victory Blvd. Class II and III Bikeway Amend FY 2006-07 Budget
- match requirement of \$48,090 to design and construct a Class II Bikeway on Victory Boulevard from Clybourn Avenue to Burbank Boulevard and potentially continue the bike lanes on Burbank Boulevard over the Burbank Bridge to Third Street.
- Staff reported that for the portion over the bridge, Caltrans approval would be required; however, Class III bike route signs only could be implemented as an alternative to Class II bike lanes. It was noted that the project would also construct a Class III Bikeway on Reese Place from Victory Boulevard to Burbank Boulevard and on Doan Drive from Burbank Boulevard to Chandler Boulevard, and on Front Street from Burbank Boulevard to the Metrolink Station. The project includes directional and route signage, traffic signal upgrades, and loop detectors at Victory Boulevard and Reese Place, and Burbank Boulevard and Doan Drive.
- Motion
- It was moved by Mr. Vander Borgh and seconded by Mrs. Ramos that "the following resolution be passed and adopted:"
- 804-3
403
California
Department of Transportation Grant for Victory Blvd. Class II and III Bikeway Amend FY 2006-07 Budget
- RESOLUTION NO. 27,332:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING A CALTRANS BICYCLE TRANSPORTATION GRANT FOR THE VICTORY BOULEVARD CLASS II AND CLASS III BIKEWAY AND AMENDING THE FISCAL YEAR 2006-2007 BUDGET IN THE AMOUNT OF \$432,810.
- Adopted
- The resolution was adopted by the following vote:
- Ayes: Council Members Golonski, Gordon, Ramos, Vander Borgh and Campbell.
Noes: Council Members None.
Absent: Council Members None.
- 204
League of Women Voters to conduct a
- A report was received from the Public Information Office presenting a request from the League of Women Voters (League) of Glendale/Burbank to conduct a candidate forum and a ballot proposition forum. Staff indicated that the League has traditionally

10/03/06

Candidate Forum and ballot proposition forum presented a candidate forum for the local elected offices as well as ballot proposition forums.

Staff reported that on May 21, 1996, the Council adopted Resolution No. 24,741, which establishes policies regarding the use of City cable broadcast facilities for election candidate forums. Through adoption of the resolution, the Council expressed its belief that it would be in the public interest for the City to permit, at no cost recovery, access by qualified organizations to use City facilities for the purpose of broadcasting debates and forums provided that neutrality is maintained in how the program is conducted so as to ensure that public funds are utilized solely for public education and information. Staff added that in the same resolution, the League was recognized by the Council as a neutral, non-partisan organization that meets all established requirements. Additionally, as required by the resolution, the League does not endorse or back candidates for elective office or take positions on local measures; however, they have taken positions on State measures.

Motion It was moved by Mr. Vander Borcht seconded by Mrs. Ramos and carried that the "Council approve the request from the League of Women Voters to conduct a candidate forum and a ballot proposition forum during the month of October at a mutually convenient time. Staff was also directed to air the judicial candidate interviews."

1503 Mr. Davis, General Manager, Burbank Water and Power, presented the monthly Water and Power Operating Report for the month of August 2006.

1504 Monthly Water and Power Operating Report The Council noted and filed the report.

Ordinance Submitted It was moved by Mr. Vander Borcht and seconded by Mrs. Ramos that "Ordinance No. 3708 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702-1 Zone Map Amendment-mixed property use 2128 N. Glenoaks Blvd. ORDINANCE NO. 3708
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING ZONE MAP AMENDMENT FOR PROJECT NO. 2006-35 (2128 NORTH GLENOAKS BOULEVARD; APPLICANT: FARHAD SIMAB).

Adopted The ordinance was adopted by the following vote:

 Ayes: Council Members Gordon, Ramos, Vander Borght and
 Campbell.

 Noes: Council Member Golonski.

 Absent: Council Members None.

Final Open Mr. Campbell called for speakers for the final open public comment
Public Comment period of oral communications at this time.
Period of Oral
Communications

Citizen Appearing to comment was Rose Prouser on the conduct of
Comment candidate forums.

9:21 P.M. There being no further business to come before the Council, the
Adjournment meeting was adjourned at 9:21 p.m.

Margarita Campos, CMC
City Clerk

APPROVED DECEMBER 19, 2006

Mayor of the Council
of the City of Burbank